

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 DEPARTMENT L HONORABLE JOEL L. LOFTON, JUDGE

4 -000-

5 FAHED SAYEGH,)
6 PETITIONER,)
7 VS.) CASE NO.
8 NUHA SAYEGH,) 25PDRO01260
9 RESPONDENT.)
10 _____)
11

12 REPORTER'S TRANSCRIPT OF PROCEEDINGS
13 OCTOBER 15, 2025
14

15 APPEARANCES:

16 FOR THE PETITIONER: KIRK A. KOLODJI
17 ATTORNEY AT LAW
18

19 FOR THE RESPONDENT: IN PROPRIA PERSONA
20
21

22
23 REPORTED BY: TOSHA TOWNSEND, C.S.R. 9156
24 OFFICIAL REPORTER
25

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(NONE OFFERED)

RESPONDENT'S EXHIBITS	DESCRIPTION	ID	EVD	REFUSED
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1 CASE: 25PDRO01260
2 CASE NAME: FAHED SAYEGH VS. NUHA SAYEGH
3 PASADENA, CA WEDNESDAY, OCTOBER 15, 2025
4 DEPARTMENT L HONORABLE JOEL L. LOFTON, JUDGE
5 REPORTER: TOSHA TOWNSEND, CSR #9156
6 TIME: MORNING SESSION
7
8

9 APPEARANCES:

10 THE PETITIONER, FAHED SAYEGH, WAS PRESENT
11 AND SELF-REPRESENTED; RESPONDENT, NUHA
12 SAYEGH, WAS PRESENT AND REPRESENTED BY
13 KIRK A. KOLODJI, ATTORNEY AT LAW.

14

15 THE COURT: ON NUMBER 4, WE HAVE NUHA SAYEGH.

16 OKAY.

17 HAVE A SEAT.

18 I'M NOT GOING TO SWEAR ANYBODY IN. I'M
19 GOING TO GET INFORMATION TO SEE HOW LONG THE HEARING
20 WILL BE SO I KNOW WHO TO CALL FIRST.

21 AND NUMBER 4 THIS WAS A D.V.R.O. REQUEST
22 FOR PREVENTION FILED BY THE PETITIONER ON
23 SEPTEMBER 9. T.R.O. GRANTED ON SEPTEMBER 10.
24 MINORS WERE EXCLUDED.

25 I REVIEWED THE RESPONSE FILED BY THE
26 RESPONDENT ON SEPTEMBER 12TH. BASICALLY SAYING IT'S
27 ALL MADE UP; THIS IS RETALIATION.

28 I'VE READ THE NARRATIVES WHICH GAVE A

1 CHRONOLOGY. AND THERE WAS A SUPPLEMENTAL
2 DECLARATION WITH SOME PHOTOGRAPHS ALSO FILED ON
3 OCTOBER 8TH.

4 AND THEN NO. 5 -- ON NO. 5, THAT'S WHEN
5 YOU ARE THE RESPONDENT.

6 AND I'VE READ YOUR REQUEST FOR D.V.
7 PREVENTION ON SEPTEMBER 12TH.

8 SO JUST GIVE ME A TIME ESTIMATE.

9 FIRST, BOTH PARTIES READY TO PROCEED ON
10 BOTH?

11 MR. KOLODJI: WE ARE, YOUR HONOR.

12 MR. SAYEGH: WE ARE.

13 THE COURT: OKAY.

14 MR. SAYEGH: ON BEHALF OF THE RESPONDENT, SLASH,
15 PETITIONER.

16 THE COURT: AND WHAT'S THE TIME ESTIMATE?

17 MR. KOLODJI: WELL --

18 THE COURT: HOW MUCH TIME DO YOU NEED TO PRESENT
19 YOUR EVIDENCE?

20 MR. KOLODJI: I PROBABLY WILL NEED AN HOUR AND A
21 HALF OR AN HOUR.

22 THE COURT: I'VE READ THE DECLARATION. SO ASSUMING
23 YOU DON'T HAVE TO REPEAT EVERYTHING IN THE DECLARATION
24 --

25 MR. KOLODJI: WE CAN DO IT IN AN HOUR.

26 THE COURT: ABOUT AN HOUR.

27 SIR, HOW MUCH TIME DO YOU NEED TO PRESENT?

28 MR. SAYEGH: TWO HOURS.

1 THE COURT: I DON'T NEED TWO HOURS ON THIS. IT'S
2 JUST YOU AS THE WITNESS.

3 MR. SAYEGH: I HAVE TWO OTHER WITNESSES.

4 THE COURT: WHO ARE THE WITNESS, AND TELL ME WHAT
5 THE OFFER OF PROOF IS?

6 MR. SAYEGH: ARKEL SAMERA, S-A-M-E-R --

7 THE COURT: -- A.

8 M-E-R-A. AND HER LAST NAME SAMERA?

9 MR. SAYEGH: A-R-K-E-L.

10 THE COURT: AND WHAT WILL MS. ARKEL TELL ME THAT'S
11 RELEVANT TO THESE TWO -- WELL, THESE TWO REQUESTS?

12 MR. SAYEGH: SURE.

13 NUMBER ONE, SHE WAS THE PERCIPIENT WITNESS
14 WHEN, MIA SAYEGH WAS SPOKEN TO WITH ME, WHO WAS OUR
15 MINOR. AND IN THAT CONVERSATION, WE FILED A SEALED
16 DECLARATION. AND THE CONTEXT OF THAT IS THAT MRS.
17 SAYEGH HAD COACHED HER INTO LYING ABOUT WITNESSING.
18 THE AUGUST 26TH EVENT; SHE HAD COACH HER AND HER SON
19 TO LIE TO D.C.F.S. ABOUT ADDITIONAL ABUSE AND CHILD
20 ABUSE.

21 THE COURT: SO THE OFFER OF PROOF IS THIS WITNESS
22 WATCHED OR HAS FIRSTHAND KNOWLEDGE OF THE PETITIONER
23 COACHING THE MINORS?

24 MR. SAYEGH: NO, YOUR HONOR.

25 SINCE THE MINOR IS NOT HERE, SHE WAS THERE
26 WHEN THE MINOR CONFESSED TO --

27 THE COURT: THAT'S ALL HEARSAY.

28 MR. SAYEGH: OKAY.

1 THE COURT: IT'S AN OUT-OF-COURT STATEMENT THAT
2 YOU'RE ASKING THE COURT TO ADMIT FOR THE TRUTH OF THE
3 MATTER.

4 SO WHAT ELSE?

5 MR. SAYEGH: THE SECOND --

6 THE COURT: JUST SO WE'RE CLEAR, JUST SO WE'RE
7 CLEAR BECAUSE THERE'S RULES FOR THE HEARINGS. SO
8 PERCIPIENT WITNESSES -- THESE ARE WITNESSES WHO HEARD,
9 SAW, CAN COME TO COURT, CAN BE SWORN IN -- "THIS IS WHAT
10 I HEARD. THIS IS WHAT I SAW." PERCIPIENT WITNESSES.

11 CHARACTER EVIDENCE IS INADMISSIBLE. SO,
12 FOR EXAMPLE, "THAT PARTY IS A LIAR. THAT PARTY HAS
13 A CHARACTERISTIC OF DISHONESTY; SO THEY'RE PROBABLY
14 DISHONEST." SO NO, THAT'S OUT.

15 SOAP PERCIPIENT WITNESSES ARE WITNESSES
16 THAT ACTUALLY SAW SOMETHING.

17 IS MS. ARKEL A PERCIPIENT WITNESS TO ANY
18 OF THE ALLEGED ACTS OF ABUSE? ALLEGED AT THE TIME
19 OF ABUSE SEPTEMBER 8TH, SEPTEMBER 24?

20 SO YES? NO?

21 MR. SAYEGH: YES, YOUR HONOR.

22 THE COURT: TO WHAT?

23 MR. SAYEGH: THE SECOND WOULD BE ALIBI ON THE
24 AUGUST 26TH DATE BECAUSE SHE WAS WITH ME.

25 AND IF I MAY READDRESS --

26 THE COURT: AN ALIBI MEANING YOU WEREN'T PRESENT
27 DURING THE ALLEGED ABUSE?

28 MR. SAYEGH: NOT THE ALLEGED ABUSE BUT THE ABSENCE

1 OF MYSELF.

2 THE COURT: I DON'T NEED TO HEAR FROM ARKEL.

3 MR. SAYEGH: MAY I READDRESS THE MINOR?

4 THE COURT: WE'RE GOING TO START WITH THE
5 WITNESSES, AND THEN IF THERE'S A -- I'LL GIVE YOU A
6 CHANCE AFTER YOU TESTIFY TO SEE IF I NEED SOMEBODY. BUT
7 I'M NOT HEARING ANYTHING ABOUT ARKEL.

8 MR. SAYEGH: THIS IS AS FAR AS THE PETITIONER'S
9 MOVING PAPERS -- AS FAR AS MY D.V.R.O.

10 THEN I WOULD LIKE TO ATTEST HOW THOSE
11 WITNESSES WOULD BECOME APPLICABLE BECAUSE NEITHER OF
12 THOSE WITNESSES WITNESSED ANY ABUSE OR ASSAULT.

13 THE COURT: OBVIOUSLY, THE TWO OF YOU ARE GOING TO
14 TESTIFY BECAUSE YOU'RE THE PARTIES. I'M SAYING IF ANY
15 OTHER THIRD PARTY IS GOING TO TESTIFY. SO FAR I'M NOT
16 HEARING ANYTHING TO ALLOW THEM TO TESTIFY.

17 WHO ELSE BESIDES MS. SAMERA.

18 MR. SAYEGH: I HAVE AN EXPERT DECLARATION THAT'S
19 BEEN SUBMITTED.

20 THE COURT: THAT'S HEARSAY.

21 WHAT OTHER PERSON DO YOU HAVE? DO YOU
22 HAVE ANOTHER PERSON WHO COULD BE SWORN IN -- SWORN
23 IN AND THEN, SUBJECT TO CROSS-EXAMINATION? THIS IS
24 A HEARING. SO WE NEED TO HAVE WITNESSES HERE IN
25 COURT TO BE SWORN IN, OFFER TESTIMONY, AND SUBJECT
26 TO CROSS. DECLARATION OUT.

27 MR. SAYEGH: AS FAR AS THOSE TWO WITNESSES, THEY
28 WILL HAVE FIRSTHAND --

1 THE COURT: WHO'S THE OTHER ONE?

2 MR. SAYEGH: LINDA SAYEGH.

3 THE COURT: ALL RIGHT.

4 LINDA SAYEGH.

5 MR. SAYEGH: YES, YOUR HONOR.

6 THE COURT: WHAT IS SHE GOING TO TELL ME?

7 MR. SAYEGH: PETITIONER'S MOVING D.V.R.O. --

8 THEY'RE GOING TO TESTIFY OF THE ABUSE AND ONGOING ABUSE

9 THAT MRS. SAYEGH HAS INFILCTED ON ME OVER THE YEARS.

10 THAT WILL HELP ESTABLISH THE ELEMENTS OF MY PROTECTIVE
11 ORDER.

12 THE COURT: SO LINDA SAYEGH.

13 AND WHAT IS THE RELATIONSHIP?

14 MR. SAYEGH: SHE IS MY SISTER-IN-LAW.

15 THE COURT: YOUR SISTER-IN-LAW, HER SISTER?

16 MR. SAYEGH: NO.

17 FORMALLY MARRIED TO MY BROTHER.

18 THE COURT: BROTHER'S WIFE?

19 MR. SAYEGH: YES, YOUR HONOR.

20 THE COURT: SO BROTHER'S WIFE WILL TESTIFY THAT SHE
21 WITNESSED NUHA SAYEGH, PETITIONER -- THAT SHE WITNESSED
22 THE PETITIONER ABUSE YOU --

23 MR. SAYEGH: IN AN ONGOING FASHION WHICH INCLUDES
24 MULTIPLE, CONSISTENT HISTORY OF ABUSING ME THROUGH
25 EMACULATION --

26 THE COURT: SOUNDS LIKE CHARACTER EVIDENCE. I'LL
27 WEIGH IT, BUT SOUNDS LIKE CHARACTER EVIDENCE.

28 SO CHARACTER EVIDENCE IS: "THIS PERSON --

1 I'VE SEEN THEM VIOLENT IN PAST EVENTS. I'VE SEEN
2 DISHONEST PAST --" SO PROBABLY, BECAUSE THEY HAVE A
3 PROPENSITY OF THAT, THAT'S CALLED CHARACTER
4 EVIDENCE, 1103 OR 1131 OF THE EVIDENCE CODE. IT
5 APPLIES EVEN THOUGH YOU DON'T KNOW WHAT IT IS. SO
6 IT SOUNDS LIKE IT'S PROBABLY JUST AN HOUR, 45
7 MINUTES EACH. AND AFTER YOU'RE DONE, YOU CAN MAKE
8 AN OFFER OF PROOF AT THAT POINT FOR LINDA SAYEGH AND
9 SAMERA ARKEL. SO I HAVE A TIME ESTIMATE UNDER TWO
10 HOURS FOR THE ENTIRE HEARING.

11 MR. KOLODJI: AND --

12 THE COURT: I JUST NEED TO GET TIME ESTIMATE. WE
13 HAVE -- WE STILL HAVE --

14 YOU CAN STEP BACK. I'M GOING CALL ANOTHER
15 MATTER JUST TO GET THE LENGTH OF THE HEARING SO I
16 KNOW WHICH ONES WILL GO FIRST.

17 (WHEREUPON, THE CASE WAS RECESSED.)

18 THE COURT: SAYEGH AND SAYEGH. WE HAVE MUTUAL
19 RESTRAINING ORDERS.

20 SO MS. NUHA IS REPRESENTED BY MR. KOLODJI,
21 AND WE HAVE FAHED REPRESENTING HIMSELF.

22 AT THIS TIME, WE'RE GOING TO ASK THE
23 PARTIES TO STAND UP, RAISE YOUR RIGHT HAND TO BE
24 SWORN IN BY THE CLERK.

25 THE CLERK: YOU DO SOLEMNLY STATE THAT THE
26 TESTIMONY YOU ARE ABOUT TO GIVE IN THE CAUSE NOW PENDING
27 BEFORE THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH,
28 AND NOTHING BUT THE TRUTH, SO HELP YOU GOD?

1 MR. SAYEGH: I DO.

2 MS. SAYEGH: I DO.

3 THE COURT: BOTH OF YOU PLEASE HAVE A SEAT.

4 THE MATTERS ARE SET HERE TODAY FOR A
5 HEARING UNDER THE DOMESTIC VIOLENCE PREVENTION ACT.

6 ARE BOTH SIDES READY TO PROCEED?

7 STARTING WITH MR. KOLODJI, ARE YOU TO
8 PROCEED.

9 MR. KOLODJI: WE ARE, YOUR HONOR.

10 THE COURT: MR. SAYEGH, ARE YOU READY TO PROCEED?

11 MR. SAYEGH: I AM YOUR HONOR.

12 THE COURT: SO YOU HAVE A COMPUTER. ARE YOUR NOTES
13 ON YOUR COMPUTER? I WANT TO MAKE SURE --

14 MR. SAYEGH: I WILL TAKE NOTES ON HER
15 CROSS-EXAMINATION THROUGH THE COMPUTER, ONLY.

16 THE COURT: YOU CAN TURN ON THE COMPUTER TO TAKE
17 YOUR NOTES.

18 BEFORE WE BEGIN, THE COURT WILL MAKE
19 CERTAIN ADVISEMENTS. THE PARTIES HAVE TWO CHILDREN
20 JORDAN AND NIA.

21 MR. SAYEGH: YES, YOUR HONOR.

22 THE COURT: OKAY.

23 THE COURT INFORMS THE PARTIES THAT
24 PURSUANT TO FAMILY CODE 3044 A PRESUMPTION ARISES
25 AGAINST AWARDED SOLE, JOINT -- SOLE OR JOINT LEGAL
26 OR SOLE CUSTODY OF A CHILD TO A PARENT FOUND TO HAVE
27 COMMITTED ABUSE. SO WHAT THIS MEANS IS BOTH OF YOU
28 HAVE ACCUSED THE OTHER OF VIOLATING THE DOMESTIC

1 VIOLENCE PREVENTION ACT. IF YOU'RE ABLE TO PROVE
2 YOUR CLAIMS, THAT'S BY A PREPONDERANCE OF THE
3 EVIDENCE -- IF YOU ARE, THEN THERE IS A PRESUMPTION
4 THAT THE OTHER PARTY WOULD HAVE SOLE LEGAL, SOLE --
5 SOLE LEGAL CUSTODY AND SOLE PHYSICAL CUSTODY.

6 NOW, THAT'S A PRESUMPTION. IT CAN BE
7 REBUTTED. BUT THAT'S A PRESUMPTION THAT ARISES.

8 THE COURT IS GOING TO CONDUCT A SEARCH
9 PURSUANT TO FAMILY CODE 6306 TO SEE IF EITHER PARTY
10 HAS ANY RELEVANT CRIMINAL HISTORY.

11 GIVE ME A MOMENT TO DO THAT.

12 I HAVE NO INFORMATION THAT EITHER OF YOU
13 HAVE ANY CRIMINAL RECORD. I HAVE REVIEWED STARTING
14 WITH MS. NUHA'S REQUEST FOR D.V.R.O. PREVENTION.

15 MA'AM, I HAVE REVIEWED YOUR REQUEST THAT
16 YOU FILED ON SEPTEMBER 9TH IN THAT YOU ALLEGED THE
17 DATE OF ABUSE OF SEPTEMBER 8TH WHERE YOU
18 CHARACTERIZED ACTIONS OF THE -- I'M NOT GOING TO SAY
19 RESPONDENT -- OF MR. SAYEGH -- FORCE AND CONTROL
20 MANIPULATION, GASLIGHTING, FAILURE TO RETURN THE
21 CHILDREN AFTER A DODGER GAME, HISTORY OF VIOLENCE.
22 I DIDN'T SEE A NARRATIVE ATTACHED. I DIDN'T SEE --
23 AT THE END OF IT, YOU JUST TYPE IN YOUR OWN WORDS.

24 IS ALL THE INFORMATION THAT YOU INCLUDED
25 ON THAT REQUEST FOR D.V. PREVENTION COMPLETE,
26 THOROUGH, AND ACCURATE?

27 MS. SAYEGH: IT COULD HAVE BEEN, YEAH.

28 THE COURT: YOUR LAWYER KNOWS FAMILY LAW. HE CAN'T

1 HELP YOU WITH THE TESTIMONY. THERE'S THINGS HE CAN AND
2 CAN'T CONTROL. HE CAN'T CONTROL THE FACTS.

3 MS. SAYEGH: OF COURSE, OF COURSE.

4 THE COURT: SO THAT WAS A QUESTION FOR YOU.

5 THAT'S WHY I DIDN'T SWEAR HIM IN BECAUSE
6 HE'S NOT GOING TO GIVE ANY TESTIMONY.

7 SO IS EVERYTHING YOU WROTE COMPLETE AND
8 ACCURATE?

9 MS. SAYEGH: YES.

10 THE COURT: OKAY.

11 AND SIR, I ALSO READ YOUR RESPONSE THAT
12 YOU FILED ON SEPTEMBER 12TH WHERE YOU BASICALLY SAY
13 THAT THE PETITIONER MAKES UP FACTS TO USE THE
14 JUSTICE SYSTEM TO RETALIATE AGAINST YOU.

15 IS THAT CORRECT?

16 MR. SAYEGH: YES, YOUR HONOR.

17 THE COURT: AND YOU WROTE A NARRATIVE THAT STARTED
18 ON PAGE 9 WHERE YOU BASICALLY GAVE ME A CHRONOLOGY
19 STATEMENTS OF THE FACTS AMONG THE ACCUSATIONS: YOU
20 STATE THAT THE PETITIONER SMOKES FENTANYL, THAT SHE HAS
21 DOCUMENTED SUBSTANCE ABUSE, CRACK, COCAINE.

22 IS ALL THE INFORMATION THAT YOU PUT IN
23 YOUR NARRATIVE, THAT YOU PUT IN YOUR RESPONSE THAT
24 YOU FILED ON SEPTEMBER 12TH -- TO ALL OF THAT IS IT
25 COMPLETE, THOROUGH, AND ACCURATE?

26 MR. SAYEGH: AS FAR AS THAT INITIAL DOCUMENT GOES,
27 THAT IS CORRECT.

28 THE COURT: SO EVERYTHING THAT YOU WROTE IS

1 TRUTHFUL?

2 MR. SAYEGH: YES, YOUR HONOR.

3 THE COURT: YOU DIDN'T MAKE UP ANYTHING OR
4 EXAGGERATE ANYTHING.

5 MR. SAYEGH: NO, YOUR HONOR.

6 THE COURT: SAME TO YOU, MA'AM, YOU DIDN'T MAKE UP
7 ANYTHING OR EXAGGERATE ANYTHING?

8 MS. SAYEGH: NO.

9 THE COURT: ON THE CASE ENDING IN 01260, MA'AM, WHY
10 DON'T YOU TELL ME --

11 MR. KOLODJI: YOUR HONOR, BEFORE WE DO THAT. WE
12 CAN ALSO HAVE HER AFFIRM HER STATEMENTS MADE IN THE
13 OCTOBER 8TH SUPPLEMENTAL DECLARATION?

14 THE COURT: OKAY.

15 MA'AM, I DID RECEIVE A SUPPLEMENTAL
16 DECLARATION ON OCTOBER 8TH THAT ALSO CONTAINED A
17 NUMBER OF PHOTOGRAPHS.

18 IS ALL THE INFORMATION THAT YOU STATED IN
19 THAT --

20 MS. SAYEGH: YES.

21 THE COURT: -- TRUE IS ACCURATE?

22 OKAY.

23 SO MR. KOLODJI, YOU WANT TO WALK
24 THROUGH -- TYPICALLY, I VOIR DIRE THE PARTIES TO
25 GIVE A GENERAL IDEA THOSE REPRESENTED BY COUNSEL.

26 USUALLY, IF THERE'S A LAWYER, THEY KNOW
27 THE CASE BETTER THAN I DO. THEY NOT ONLY READ THE
28 DECLARATIONS AND LOOK AT THE EXHIBITS BUT THEY TALK

1 TO THE PARTIES AND ARE A BIT MORE FAMILIAR TO THE
2 CASE. I'M GOING TO ASK THAT YOU USE THE DOCUMENT
3 PANEL TO SHOW ANYTHING. AND YOU CAN JUST WALK ME
4 THROUGH --

5 AND HERE'S HOW THIS WORK. I KNOW THERE'S
6 DUELING D.V.R.O.'S, BUT A PARTY HAS TO SHOW --
7 THERE'S A STIPULATION THAT THE PARTIES HAVE A
8 RELATIONSHIP SPECIFIED, FAMILY CODE 6211. THIS IS
9 YOUR SPOUSE? THIS IS FATHER OF YOUR CHILDREN?

10 MS. SAYEGH: YES.

11 THE COURT: SO THE PARTIES HAVE A RELATIONSHIP
12 PURSUANT TO FAMILY CODE 6211. THE QUESTION IS WHETHER
13 THE RESPONDENT COMMITTED ABUSE AS DEFINED BY FAMILY CODE
14 6203. AND THE BURDEN OF PROOF IS THE PREPONDERANCE OF
15 THE EVIDENCE.

16 GO AHEAD, COUNSEL.

17

18 NUHA SAYEGH,
19 THE RESPONDENT, WAS CALLED ON BEHALF OF HERSELF, WAS
20 SWORN AND TESTIFIED AS FOLLOWS:

21

22 DIRECT EXAMINATION
23 BY MR. KOLODJI:

24 Q I'D LIKE TO WALK YOU THROUGH WHAT HAPPENED.
25 DO YOU RECALL WHAT HAPPENED ON AUGUST 26TH
26 2025?

27 A I DO.

28 Q CAN YOU DESCRIBE TO THE COURT WHAT HAPPENED

1 THAT DAY?

2 A THAT DAY I PICKED UP MY SON. HE HAD HALF DAY
3 IN SCHOOL FROM LA ROSA ELEMENTARY SCHOOL IN LAS TUNAS --
4 OR I'M SORRY, IN TEMPLE CITY. AND BECAUSE HE HAD HALF
5 DAY, I HAD BOOKED HIM AN APPOINTMENT --

6 THE COURT: ONE SECOND.

7 IF THERE ARE ANY WITNESSES -- SO THIS
8 COURTROOM IS OPEN TO THE PUBLIC. SO PEOPLE ARE FREE
9 TO STAY IN AND WATCH THE PROCEEDINGS. BUT THAT MAY
10 PREVENT YOU FROM TESTIFYING. IF YOU ARE A POTENTIAL
11 WITNESS IN THIS CASE, I'M GOING TO ASK YOU TO STEP
12 INTO THE HALLWAY. SO IF YOU'RE JUST WAITING ON
13 ANOTHER CASE OR MEMBER OF THE PUBLIC, A FAMILY
14 MEMBER -- YOU'RE WELCOME TO STAY AND WATCH THE
15 PROCEEDINGS. BUT YOU MAY NOT BE ABLE TO TESTIFY.

16 SO TAKE A LOOK AND TALK TO YOUR WITNESSES.
17 LET THEM UNDERSTAND THAT THEY MAY BE BARRED FROM
18 TESTIFYING IF THEY'RE WATCHING OTHER WITNESSES
19 TESTIFY.

20 SO AUGUST 26TH 2025, YOU'RE PICKING UP
21 YOUR SON FROM SCHOOL.

22 GO AHEAD.

23 THE WITNESS: I PICKED HIM UP FROM SCHOOL. HE HAS
24 HALF DAYS TUESDAY. I WENT TO GET HIM HIS ANNUAL
25 CHECKUP. AND BY THAT TIME, WE WERE FINISHED. I PICKED
26 MY DAUGHTER UP NIA. AND I THOUGHT I WAS GOING HOME BY
27 THEN, BACK TO TEMPLE CITY. THE HOME THAT WE WERE
28 DISPLACED. BUT SHE HAD FORGOTTEN TO SOME ITEMS.

1 THE COURT: WHAT WAS DISPLACED?

2 MS. SAYEGH: WE WERE STILL LIKE IN OUR DISPLACEMENT
3 HOME. I STAYED BEHIND THERE WHILE HE WENT BACK TO THE
4 RESIDENCE.

5 Q BY MR. KOLODJI: WHERE'S YOUR DISPLACEMENT
6 HOME?

7 A IT'S 5132 ROSEMEAD BOULEVARD.

8 Q I'M SORRY?

9 A SO WE WANT, WE GRABBED HER, WE WENT TO THE
10 HOUSE --

11 THE COURT: WHEN YOU SAY, "WE," WHO DO YOU MEAN?

12 THE WITNESS: MY CHILDREN. AND I WENT BACK TO
13 ALTADENA TO GRAB SOME BELONGINGS.

14 Q BY MR. KOLODJI: WHEN YOU SAY YOU WENT TO
15 ALTADENA -- WHERE WERE YOU GOING?

16 A WE WERE GOING TO THE HOUSE. WE GOT SOME
17 COFFEE FIRST. WE GRABBED COFFEE. AND I GRABBED HIM A
18 CUP OF COFFEE AS WELL. SO WE WENT TO THE HOUSE. WE
19 GRABBED OUR ITEMS, HUNG OUT FOR MAYBE 30 MINUTES, 40
20 PINS. I TOLD THE KIDS TO GO OUTSIDE, GO TO THE CAR --
21 ACTUALLY, WALKED THEM TO THE CAR. AND I SAID, "I FORGOT
22 TO GO TELL YOUR DAD SOMETHING." AND THAT'S WHEN I WENT
23 INSIDE, AND WE TALKED ABOUT SOME FINANCES. I HAD TO PAY
24 FOR THIS OR THAT. "WELL, CAN WE GET A LITTLE BIT MORE
25 ON THIS END FOR," YOU KNOW -- THIS AND THAT, EVERYDAY
26 LIFE. AND HE JUST BLEW UP COMPLETELY. HE STARTED
27 CHARGING AT ME. HE GRABS ME BY MY HAIR. AND THEN HE
28 THROWS ME DOWN TO THE FLOOR. I WAS ABLE TO GET OUT OF

1 THAT BY TWISTING HIS FINGERS OFF OF MY HAIR. AND I
2 JUMPED UP AGAIN. AND I STARTED RUNNING TOWARDS THE DOOR
3 --

4 THE COURT: SO STOP. YOU HAD TO TWIST HIS FINGERS?

5 MS. SAYEGH: YEAH, BECAUSE HE WAS LATCHED ON TO MY
6 HAIR. I WAS ABLE TO --

7 THE COURT: HOW WAS IT LODGED? INDICATING WITH
8 YOUR HAND GRABBING HAIR?

9 THE WITNESS: YEAH.

10 THE COURT: SO YOUR TESTIMONY IS THAT HE HAD A
11 HANDFUL OF YOUR HAIR?

12 MS. SAYEGH: MY TESTIMONY --

13 THE COURT: YOU SAID A PART OF IT?

14 THE WITNESS: YES.

15 THE COURT: AND RESPONDENT GRABBED YOUR HAIR?

16 THE WITNESS: AND THREW ME TO THE FLOOR, DRAGGED ME
17 A LITTLE BIT, AND THAT'S WHEN I PULLED HIS FINGER TO
18 RELEASE MYSELF. AND I JUMPED UP AGAIN. I STARTED
19 RUNNING TOWARDS THE DOOR. HE GOT AHOOLD OF ME, PROBABLY
20 BY THE BACK OF MY SHIRT, THREW ME AGAINST THE WALL RIGHT
21 WHERE THE DOORWAY IS -- BETWEEN THE DOORWAY AND THE
22 WINDOW. AND THAT'S WHEN I FELL TO THE FLOOR. AND THEN
23 HE STARTED KICKING ME. AND THEN --

24 Q BY MR. KOLODJI: WHERE WAS HE KICKING YOU?

25 A MY BODY, MY BACK, MY RIBS, BY BUTTOCKS.

26 Q ABOUT HOW MANY TIMES DID HE KICK YOU?

27 A ABOUT FIVE, SIX TIMES.

28 Q OKAY.

1 THEN WHAT HAPPENED NEXT?

2 A AND THEN THAT'S WHEN MY DAUGHTER WALKED IN.
3 RIGHT WHEN SHE WALKED IN, I'M RIGHT THERE. AND I YELLED
4 AT HER. AND I YELLED AT HER. I SCREAMED AT HER. AND
5 THAT'S WHEN I STARTED GETTING UP AND DUSTED MYSELF OFF
6 AND GOING BACK TO THE CAR. THAT'S WHEN I STARTED. AND
7 HE SAID, "I'M NOT DONE WITH YOU YET. I'M NOT DONE WITH
8 YOU YET."

9 I WENT TO THE CAR AND DROVE OFF AND APOLOGIZE
10 TO MY DAUGHTER AND TOLD HER I'M SORRY. JUST COMPLETELY
11 LASHED AT HER.

12 THE COURT: YOU LASHED OUT AT YOUR DAUGHTER?

13 THE WITNESS: YES. BECAUSE I DID NOT WANT HER TO
14 SEE THAT. I TOLD HER TO STAY IN THE CAR.

15 Q BY MR. KOLODJI: AND AFTER THIS, YOU FILED
16 YOUR RESTRAINING ORDER?

17 A NOT RIGHT AFTER, NO.

18 Q A FEW DAYS LATER, YOU FILED THE RESTRAINING
19 ORDER?

20 A UH-HUH.

21 Q AND AFTER THE RESTRAINING ORDER WAS FILED, DID
22 YOU EVER RECEIVE ANY CALLS FROM THE RESPONDENT?

23 A UH-HUH, YES.

24 Q I WOULD LIKE TO DRAW YOUR ATTENTION TO WHAT'S
25 MARKED AS EXHIBIT B OF THE SUPPLEMENTAL DECLARATION. IS
26 THAT A TRUE AND ACCURATE SCREENSHOT OF THE CALL YOU
27 RECEIVED?

28 A UH-HUH.

1 Q IS THAT YES?

2 A YES.

3 THE COURT: SO THIS INCIDENT, YOU'RE TESTIFYING
4 ABOUT HAPPENED ON AUGUST 26TH AND THEN ON SEPTEMBER 21ST
5 --

6 THE WITNESS: AUGUST 26TH -- EITHER AUGUST 26TH OR
7 IT WAS -- IT WAS ONE OF THOSE DAYS. HE HAD HALF DAYS.
8 BOTH OF THEM, AUGUST 26TH, 27TH. I WASN'T SURE EXACTLY
9 WHAT DAY WHEN I GO BACK.

10 Q BY MR. KOLODJI: WHEN YOU FILLED OUT --

11 A IT WAS AUGUST 20 --

12 WE WENT DOWN TO --

13 THE COURT: SO HERE'S --

14 HOLD ON.

15 SO YOUR TESTIMONY IS THE EVIDENCE. BUT
16 YOU'RE ABLE TO LOOK AT ALMOST ANYTHING THAT HELPS
17 REFRESH YOUR RECOLLECTION.

18 Q BY MR. KOLODJI: I'M GOING TO DRAW --

19 THE COURT: I'LL GIVE YOU AN EXAMPLE.

20 LIKE THE POLICE REPORT -- THE POLICE
21 REPORT IS NOT COMING IN BECAUSE IT'S HEARSAY. IT'S
22 A RECITATION OF STATEMENTS THAT THE POLICE OFFICERS
23 -- THAT'S OUT. BUT BOTH PARTIES CAN LOOK AT A
24 POLICE REPORT IF IT HELPS THEM REMEMBER THE DATE OR
25 TIME OR WHAT HAVE YOU. SO IF YOU HAVE A POLICE
26 REPORT, IT'S NOT COMING IN EVIDENCE. BUT YOU CAN
27 LOOK AT IT IF IT HELPS YOU TO REMEMBER THE DATES
28 AND -- YOU DO HAVE TO LET HIM KNOW WHAT DOCUMENT

1 YOU'RE LOOKING AT TO REFRESH YOUR MEMORY.

2 Q BY MR. KOLODJI: I'M GOING TO GO TO EXHIBIT A

3 --

4 THE COURT: SO EXHIBIT B IS A PHONE CALL OR TEXT
5 MESSAGE?

6 THE WITNESS: NO.

7 PHONE CALL, I BELIEVE.

8 THE COURT: OKAY.

9 Q BY MR. KOLODJI: WAS THAT THE ONLY TIME THIS
10 SUMMER THAT YOU HAD -- THAT HE LAID HANDS ON YOU?

11 A NO.

12 Q CAN YOU DESCRIBE THE INCIDENT THAT OCCURRED
13 AROUND JUNE 8TH 2025?

14 A THE DAY I WAS LEAVING THE TEMPLE CITY HOUSE TO
15 GO BACK TO THE ORIGINAL HOME -- IT WAS ANOTHER DISPUTE
16 ABOUT FINANCES AND DISPUTE ABOUT JUST LIFE IN GENERAL.
17 AND AS HE WAS LEAVING, HE THE PALMED HIS HAND RIGHT INTO
18 MY EYE.

19 THE COURT: SO INDICATING YOU TOOK YOUR RIGHT
20 PALM -- AND THAT YOU INDICATED THAT YOUR RIGHT PALM HIT
21 YOUR -- INTO YOUR CHEEK INTO YOUR EYE.

22 SO THE RESPONDENT DID THAT?

23 THE WITNESS: UH-HUH.

24 THE COURT: HE TOOK THE PALM OF HIS RIGHT HAND AND
25 HIT YOU IN YOUR FACE?

26 THE WITNESS: UH-HUH, YES.

27 MR. KOLODJI: DO YOU HAVE A PICTURE OF THAT
28 INCIDENT?

1 THE WITNESS: UH-HUH.

2 THE COURT: PLUGGED IN YOUR COMPUTER?

3 MR. KOLODJI: YOUR HONOR, I HAVE IT UP ON MY --

4 THE COURT: SO HE'S GOING TO ASK QUESTIONS, AND
5 YOU'LL HAVE A CHANCE TO ASK QUESTIONS. AND THEN HE
6 MIGHT ASK YOU QUESTIONS. AND THEN YOU HAVE A RIGHT TO
7 GIVE YOUR TESTIMONY. SO LET ME SWITCH TO COUNSEL.

8 SO THIS IS EXHIBIT --

9 MR. KOLODJI: I'D LIKE TO DESIGNATE THIS EXHIBIT --
10 EXHIBIT H.

11 THE COURT: OKAY.

12 Q BY MR. KOLODJI: IS THIS A SCREENSHOT THAT YOU
13 TOOK FROM YOUR PHONE?

14 A UH-HUH.

15 THE COURT: IS THAT A YES?

16 THE WITNESS: YES.

17 Q BY MR. KOLODJI: AND IS THIS A SCREENSHOT OF
18 THE INCIDENT THAT YOU JUST DESCRIBED TO THE COURT?

19 A YES.

20 Q AND CAN YOU DESCRIBE --

21 YOUR HONOR, SHOULD I DESCRIBE WHAT I SEE HERE
22 OR --

23 THE COURT: HOLD ON. IS THIS A PICTURE OF YOU?

24 THE WITNESS: YES, IT IS.

25 THE COURT: AND I SEE A MARKING UNDER YOUR --

26 THE WITNESS: UNDER MY EYE. I HAD PUT MAKEUP ON TO
27 SEE IF IT WOULD COVER, AND THAT'S WHY I TOOK THAT
28 SNAPSHOT.

1 THE COURT: THERE APPEARS TO BE SOME SWELLING UNDER
2 YOUR LEFT EYE.

3 THE WITNESS: UH-HUH.

4 THE COURT: IS THAT YES?

5 THE WITNESS: YES.

6 THE COURT: HOW DID YOU GET THE SWELLING UNDER YOUR
7 LEFT EYE?

8 THE WITNESS: LIKE I SAID, HE WAS LEAVING THE HOUSE
9 AND HE WENT --

10 THE COURT: HE HIT YOU IN THE FACE AND LEFT THIS
11 MARK.

12 THE WITNESS: CONTINUING OUT OF THE HOUSE --

13 THE COURT: I DON'T KNOW IF THIS IS --

14 HOW MANY MORE? DO YOU HAVE MORE
15 PHOTOGRAPHS?

16 MR. KOLODJI: WE CAN REST ON THAT.

17 THE COURT: OKAY.

WELL, SO, SIR, DO YOU HAVE ANY QUESTIONS?

19 MR. SAYEGH: YES, YOUR HONOR.

20 THE COURT: SHE'S GIVEN TESTIMONY OF AUGUST 26TH
21 INCIDENT AND JUNE 8TH INCIDENT.

22 MR. SAYEGH: SURE.

23 THE COURT: GO AHEAD.

24

25 | CROSS-EXAMINATION

26 BY MR. SAYEGH:

27 Q MS. SAYEGH, DO YOU RECALL WHAT TIME YOU PICKED
28 UP YOUR MINOR, JORDAN SAYEGH, FROM SCHOOL?

1 THE COURT: SO GIVE A DATE --

2 MR. SAYEGH: I APOLOGIZE, SORRY.

3 Q YOUR TESTIMONY WAS THAT ON AUGUST 26TH YOU
4 PICKED UP YOUR SON FROM SCHOOL EARLY?

5 A YES.

6 Q AND DO YOU RECALL WHAT TIME YOU PICKED UP YOUR
7 SON?

8 A HE HAD HALF DAY. HE GETS OUT AT 11:00 -- NO.
9 HE GETS OUT AT LIKE 1:15 GIVE OR TAKE.

10 THE COURT: AND YOU CAN TAKE THE PICTURE DOWN
11 UNLESS HE'S GOING TO ASK TO USE IT.

12 Q BY MR. SAYEGH: AND THEN YOU WENT TO GET
13 COFFEE?

14 A NO. WE DID NOT GET COFFEE RIGHT AWAY.

15 WE WENT STRAIGHT TO THE DENTIST APPOINTMENT.

16 Q WHAT TIME WAS THE DENTIST APPOINTMENT?

17 A THE DENTIST APPOINTMENT --

18 I SHOULD HAVE CALLED THEM AND ASKED THEM WHEN
19 IT WAS, BUT I DON'T RECALL WHEN --

20 Q DO YOU KNOW WHEN THE DENTAL APPOINTMENT WAS
21 COMPLETED?

22 A I KNOW IT WAS COMPLETED BEFORE NIA WAS PICKED
23 UP FROM SCHOOL.

24 Q OKAY.

25 AND WHAT TIME WOULD THAT BE?

26 A NIA IS PICKED UP AT 3:00 O'CLOCK.

27 Q 3:00 O'CLOCK.

28 AND THEN WHERE DID YOU GO FROM THERE?

1 A TO THE HOUSE.

2 Q AND WHAT TIME DID YOU ARRIVE AT THE HOUSE?

3 A WE GOT COFFEE FIRST AND THEN --

4 Q WHAT TIME DID YOU GET COFFEE?

5 A ABOUT 4:00 O'CLOCK WE ENDED UP AT THE HOUSE --

6 4:00 OR 4:30.

7 Q OKAY.

8 AND WHO WAS THERE WHEN YOU GOT TO THE HOUSE?

9 A YOU WERE.

10 Q I WAS THERE.

11 A UH-HUH.

12 Q AND YOUR TESTIMONY WAS YOU WERE THERE AT THE

13 HOUSE FOR ABOUT A HALF HOUR?

14 A MAYBE 15 MINUTES TO 30 MINUTES.

15 Q SO APPROXIMATELY --

16 A MAYBE.

17 Q -- 5:00 P.M. THIS ASSAULT OCCURRED?

18 A AROUND 4:00 O'CLOCK.

19 Q AROUND 4:00?

20 A IT WAS 4:00 O'CLOCK.

21 Q LET ME COME BACK.

22 YOUR TESTIMONY IS YOU PICKED UP NIA AT 3:05.

23 THAT'S WHAT TIME THE BELL GETS OUT?

24 CORRECT?

25 A RIGHT.

26 Q AND IT TOOK SOMETIME FOR YOU TO GET HER IN THE

27 CAR BY THE TIME THE PICK-UP HAPPENS.

28 RIGHT?

1 A SURE.

2 Q ABOUT 15 MINUTES TO GET HER IN THE CAR?

3 A POSSIBLY.

4 Q AND AT THAT POINT, YOU WENT TO WHICH COFFEE
5 SPOT?

6 A IT WAS RIGHT ON OUR WAY.

7 I HAD ORDERED IT, QUICK PICK-UP-TO-GO AND --

8 Q SORRY, WHICH COFFEE SPOT?

9 A STARBUCKS.

10 RIGHT ON --

11 THE COURT: THE COURT IS GOING TO EXERCISE ITS
12 DISCRETION ON EVIDENCE CODE 765 TO MAKE SURE THAT ANY
13 EXAMINATION IS RAPID, THOROUGH TO GET TO THE TRUTH OF
14 THE ISSUES.

15 COUNSEL, PUT BACK ON YOUR EXITED H, I
16 THINK IT IS.

17 SIR, DO YOU RECOGNIZE THIS PERSON IN THIS
18 PHOTOGRAPH.

19 MR. SAYEGH: YES.

20 THE COURT: SHE HAS BRUISING ON HER LEFT EYE. DO
21 YOU SEE THAT BRUISE?

22 MR. SAYEGH: YES.

23 THE COURT: SHE JUST TESTIFIED SHE GOT THAT BRUISE
24 WHEN YOU HIT HER IN THE FACE.

25 MR. SAYEGH: SURE.

26 THE COURT: DO YOU REMEMBER ANY ARGUMENT OR ANY
27 INCIDENT ON JUNE 8TH 2025?

28 MR. SAYEGH: NO.

1 IF I MAY, YOUR HONOR?

2 THAT IS THE JUNE 8TH. SO I HAVE THE
3 EVIDENCE FOR THAT. SO MAY I PRESENT THAT?

4 THE COURT: SIR, I'M ASKING YOU ABOUT THIS
5 PHOTOGRAPH.

6 I HAVE A PHOTOGRAPH OF A PERSON WITH
7 BRUISING UNDER HER EYE. HER TESTIMONY IS SHE GOT
8 THE BRUISE BECAUSE YOU HIT HER IN THE FACE. SO IS
9 IT TRUE OR NOT TRUE THAT YOU HIT HER ON JUNE 8TH
10 INFILCTING THIS INJURY?

11 MR. SAYEGH: IT IS NOT TRUE, YOUR HONOR. AND MAY I
12 PRESENT --

13 THE COURT: SO LET ME UNDERSTAND.

14 YOUR TESTIMONY IS IT'S NOT TRUE THAT YOU
15 DIDN'T HIT HER?

16 MR. SAYEGH: IT'S NOT TRUE EVEN IN THE SAME
17 VICINITY OF HER. AND I HAVE THE EVIDENCE.

18 THE COURT: YOU WEREN'T IN THE SAME VICINITY?

19 MR. SAYEGH: NOT IN THE SAME CITY.

20 THE COURT: NOT ONLY DID YOU NOT STRIKE HER, YOU
21 WERE NOT IN THE SAME ROOM, OR SAME CITY.

22 MR. SAYEGH: THAT'S NOT EVEN AN INJURY FROM
23 ASSAULT. AND I HAVE THE EVIDENCE.

24 THE COURT: SIR, I'M JUST TRYING TO GET YOUR STORY
25 BECAUSE, WITH THESE HEARINGS, THERE'S A LOT THAT --
26 THERE'S A LOT OF ORDERS THAT A COURT HAS TO MAKE -- NOT
27 JUST TO DETERMINE WHETHER OR NOT YOU DID ATTACK HER BUT
28 WHAT ARE THE ORDERS FOR CUSTODY AND VISITATION.

1 SO I HAVE TO LOOK AT THE CREDIBILITY OF
2 WITNESS. AND I DON'T JUST TAKE THE CREDIBILITY JUST
3 FOR THE ISSUE AT HAND WHICH IS WHETHER OR NOT YOU
4 HIT HER IN THE FACE. I DON'T KNOW IF YOU DID OR NOT
5 BECAUSE THE HEARING ISN'T OVER. THERE'S SOME
6 EVIDENCE THAT YOU HIT HER IN THE FACE. BUT I'LL
7 WAIT UNTIL ALL OF THE EVIDENCE IS.

8 BUT I EVALUATE THE CREDIBILITY OF THE
9 WITNESS AND APPLY IT BUT NOT ONLY THIS ISSUE BUT
10 WHEN IT COMES TO CUSTODY VISITATION AND WHAT'S THE
11 TIMESHARE. IT CARES ARE. SO YOU DON'T WANT TO
12 TAKE A STATEMENT THAT TURNS OUT TO BE
13 DEMONSTRATIVELY FALSE. I'M JUST GIVING YOU A
14 WARNING. BECAUSE IF I FIND THAT YOU HAD FALSE
15 STATEMENTS -- GROSSLY FALSE STATEMENT ON THIS ISSUE,
16 I'M GOING TO REMEMBER THAT WHEN WE NOW TALK ABOUT
17 THE NEXT ISSUE WHICH IS CUSTODY AND VISITATION. SO
18 I'M GOING TO --

19 HOLD ON, SIR.

20 YOU HAVE YOUR EVIDENCE THAT THIS IS NOT A
21 BRUISE AND YOU WEREN'T IN THE SAME CITY.

22 MR. SAYEGH: BUT I HAVE --

23 THE COURT: WE'LL WAIT TO SEE THAT.

24 MR. SAYEGH: YOUR HONOR.

25 THE COURT: HOLD ON, SIR.

26 (WHEREUPON, THE CASE WAS RECESSED.)

27 THE COURT: NOW, BACK ON THE RECORD WITH SAYEGH.

28 LET'S START WITH. JUNE 8TH -- YOU HAVE

1 SOME EVIDENCE THAT YOU WERE NOT IN THE SAME CITY.

2 MR. SAYEGH: I DO, YOUR HONOR.

3 THE COURT: OKAY.

4 SO GO AHEAD AND SHARE WITH ME THAT
5 EVIDENCE.

6 MR. SAYEGH: I WOULD LIKE TO START WITH A TEXT
7 MESSAGE BETWEEN MYSELF AND NUHA SAYEGH.

8 THE COURT: HOLD ON. LET ME SWITCH ON DOCUMENT
9 HERE. AND JUST LET ME KNOW WHETHER YOU'RE USING YOUR
10 DOCUMENT CAMERA OR YOUR --

11 OKAY.

12 SO WE ARE ON THE DIRECT OF THE RESPONDENT
13 AND YOU HAVE AN EXHIBIT.

14 MR. SAYEGH: YES, YOUR HONOR.

15 THE COURT: SO WE HAVE TO NUMBER THE EXHIBITS SO
16 THERE'S A RECORD.

17 MR. SAYEGH: THIS WILL BE RESPONDENT'S EXHIBIT 1.

18 THE COURT: ALL RIGHT.

19 RESPONDENT'S 1.

20 AND THIS IS A TEXT MESSAGE?

21 MR. SAYEGH: THIS IS A TEXT MESSAGE BETWEEN MYSELF
22 AND MRS. SAYEGH ON JUNE 8TH, BEGINNING AT 10:24 A.M.

23 THE COURT: OKAY.

24 HOW THE TEXT MESSAGES WORK -- YOUR
25 STATEMENTS AREN'T ADMISSIBLE. BUT HER STATEMENT CAN
26 BE UNLESS YOU'RE USING THIS FOR NON --

27 MR. SAYEGH: USING IT FOR IMPEACHMENT, YOUR HONOR.

28 THE COURT: WELL, YOU SAID YOU HAVE TESTIMONY THAT

1 YOU WEREN'T --

2 IMPEACHMENT IS EVIDENCE THAT SOMEBODY
3 TESTIFIES IN COURT TO SOMETHING. AND IMPEACHMENT IS
4 A PRIOR INCONSISTENT STATEMENT OR OTHER EVIDENCE
5 THAT WILL SHOW THAT THE STATEMENT ISN'T RELIABLE OR
6 ISN'T TRUE.

7 SO YOU MADE AN OFFER OF PROOF THAT NOT
8 ONLY DID YOU NOT HIT THE PETITIONER IN THE FACE BUT
9 YOU WEREN'T EVEN THERE.

10 MR. SAYEGH: YES, YOUR HONOR.

11 THE COURT: I'M WAITING FOR THE EVIDENCE TO SHOW
12 YOU WEREN'T EVEN THERE.

13 MR. SAYEGH: SURE.

14 THE FIRST TEXT I TEXT HER, "WE'RE ALL
15 GOING TO MY PARENTS TODAY." I TEXTED HER. AND THEN
16 SHE SHOWS HER HAND SWOLLEN. HER RESPONSE TO ME,
17 "I'M SUPPOSED TO GO TO WORK TODAY. I CAN'T MOVE MY
18 HANDS. I CAN'T HOLD THE PHONE, VOICE TALKING."

19 THE COURT: WHAT'S YOUR OFFER -- GIVE ME YOUR OFFER
20 PROOF OF WHAT EVIDENCE --

21 SO TYPICALLY -- I'LL GIVEN YOU AN EXAMPLE.
22 IN A CRIMINAL SETTING, THERE'S A SHOOTING, AND THE
23 DEFENDANT SAYS, "I WASN'T AT THE SHOOTING. I HAVE
24 WITNESSES WHO WILL TESTIFY I WAS AT ANOTHER PARTY,
25 DOWN THE STREET. SO I WASN'T THERE."

26 DO YOU HAVE EVIDENCE?

27 MR. SAYEGH: I DO, YOUR HONOR.

28 THE COURT: WHAT'S THAT EVIDENCE?

1 MR. SAYEGH: THE TEXT MESSAGES.

2 THE COURT: ASIDE FROM THE TEXT MESSAGE, DO YOU
3 HAVE A PERSON WHO WILL TESTIFY?

4 MR. SAYEGH: IF I MAY GIVE A BRIEF OFFER OF PROOF,
5 YOUR HONOR, PLEASE. JUST BRIEFLY.

6 THE COURT: UH-HUH.

7 MR. SAYEGH: WHAT SHE SAYS SHE WOKE UP WITH HER
8 RIGHT EYE LIKE THIS. SHE ALSO TEXTED HER MOTHER WHERE
9 SHE SAID THAT THE PAIN THAT I HAD IN MY EYE PRIOR TO --
10 SHE ADMITS IT'S FROM A MEDICAL REACTION.

11 THE COURT: SO YOU HAVE A TEXT MESSAGE WITH
12 STATEMENTS FROM THE PETITIONER TALKING ABOUT HER EYE.

13 MR. SAYEGH: YES.

14 BOTH TO MYSELF AND TO HER MOM.

15 SO THE REASON THE HAND IS --

16 THE COURT: SO JUST SHOW ME THE EXHIBIT FROM THE
17 PETITIONER ABOUT HER EYE.

18 MR. SAYEGH: SURE.

19 THE COURT: SO WE'LL CALL THIS RESPONDENT'S 2. AND
20 THIS IS A TEXT --

21 (WHEREUPON, RESPONDENT'S EXHIBIT 2
22 WAS MARKED FOR IDENTIFICATION.)

23 MR. SAYEGH: THIS IS A TEXT TO ME, YOUR HONOR. THE
24 PHOTO PREVIOUS TO --

25 THE COURT: WAIT.

26 THIS IS A TEXT TO YOU.

27 AND THERE'S A PHOTO OF THE PETITIONER --
28 IS THAT THE LETTERS OR WRITINGS ON THE BOTTOM OF THE

1 PHOTOGRAPH? IS THAT WHAT SHE TEXTED?

2 MR. SAYEGH: OH, YEAH, SHE TEXTED ME.

3 TO ADD EVERYTHING, "WOKE UP. MY RIGHT EYE
4 CAN'T OPEN."

5 THE PREVIOUS SHE SHOWED ME THE SWELLING IN
6 HER HAND.

7 THE COURT: WHAT WAS THE DATE OF THIS TEXT?

8 MR. SAYEGH: THIS IS JUNE 8TH AT 10:24 A.M.

9 THE COURT: WHERE IS THAT ON THIS --

10 MR. SAYEGH: THESE TEXTS HAVE TO BE KIND OF
11 CORRELATED.

12 JUNE 8TH, I TEXTED HER IN THE MORNING.

13 WE'RE ALL GOING TO MY PARENTS. SHE SHOWED ME HER
14 HANDS SWOLE UP FROM THE MEDICINE REACTION, WHICH SHE
15 WILL SPEAK TO. SO FIRST SHE SHOWS THE HAND, AND
16 THEN SHE SAYS --

17 THE COURT: SLOW DOWN.

18 MR. SAYEGH: I'M SORRY.

19 THE COURT: SO THIS EXHIBIT 1 AND EXHIBIT 2 ARE THE
20 SAME CHAIN OF TEXT MESSAGES?

21 MR. SAYEGH: CHAIN, YOUR HONOR.

22 THE COURT: SO EXHIBIT 1 AND THE BLUE IS HER OR THE
23 BLUE IS --

24 MR. SAYEGH: THE BLUE IS ME.

25 THE COURT: OKAY.

26 "SO WE'RE ALL GOING TO MY PARENTS HOUSE
27 TODAY," IS WHAT YOU TEXT. AND THEN THIS IS HER
28 RESPONSE?

1 MR. SAYEGH: YES, YOUR HONOR.

2 THE COURT: A HAND.

3 OKAY.

4 THE NEXT PAGE?

5 MR. SAYEGH: THE NEXT PAGE IS THEN SHE FOLLOWS UP.

6 I RESPOND, "OUCH." SHE FOLLOWS UP AND STATES, "TO ADD
7 TO EVERYTHING, WOKE UP MY RIGHT EYE CAN'T OPEN."

8 MY RESPONSE TO THAT WAS, "DAMN."

9 THE COURT: OKAY.

10 SO LET ME ASK MR. KOLODJI, IS THERE A
11 STIPULATION THAT THESE ARE THE ACTUAL TEXTS BETWEEN
12 THE PARTIES?

13 MR. KOLODJI: YES, YOUR HONOR.

14 THE COURT: OKAY.

15 KEEP GOING.

16 MR. SAYEGH: AND THEN THE THIRD IN THE SAME CHAIN,
17 YOUR HONOR, WHERE I SAID, "DAMN," SHE SAID, "CALL ME
18 WHEN YOU'RE ON YOUR WAY HOME. I'VE GOT TO TELL YOU
19 SOMETHING AT THE WEDDING. NOTHING URGENT SO LITERALLY,
20 JUST CALL ME."

21 MY RESPONSE IS: "ARE YOU OKAY," REFERRING
22 TO HER MEDICAL REACTION IN THE SAME TIMEFRAME SHE
23 TOLD HER MOM THE SAME THING. AND THEN SHE ASKED ME,
24 "What's the Wi-Fi to the house?" SO I TEXTED HER.
25 CLEARLY I'M NOT THERE. I'M ACTUALLY AT MY PARENTS
26 WHERE MY UNCLE CAME TO TOWN. AND THIS CONVERSATION
27 WILL STILL BE IDENTICAL TO WHAT SHE HAS WITH HER
28 MOTHER.

1 THE COURT: SO STATEMENTS OF THE PETITIONER YOU CAN
2 ADMIT, NOT STATEMENTS OF YOU OR STATEMENTS OF YOUR MOM.
3 BUT IF YOUR MOM IS HERE, SHE CAN TESTIFY.

4 MR. SAYEGH: SURE.

5 SO HERE'S STATEMENTS TO HER MOM.

6 THE COURT: THIS IS STATEMENTS FROM?

7 MR. SAYEGH: FROM NUHA TO HER MOM.

8 "GOOD MORNING. I CAN'T GET MY RIGHT EYE.
9 DON'T EVEN OPEN. TERRIBLE. REMEMBER YESTERDAY, I
10 FELT LIKE IT WAS SOMETHING WEIRD GOING ON. THERE'S
11 A HUGE SACK UNDERNEATH MY EYEBALL."

12 NOW YOU DON'T WANT THE MOM'S RESPONSE?

13 THE COURT: IT'S NOT OFFERED FOR THE TRUTH OF THE
14 MATTER.

15 MR. SAYEGH: THE MOM RESPONDED, NOT BEING OFFERED
16 FOR THE TRUTH OF THE MATTER.

17 THE COURT: BUT HER STATEMENTS TO YOUR MOM IS
18 ADMISSIBLE. THESE ARE HER STATEMENTS.

19 MR. SAYEGH: SO THEN MOM SAYS, "SEND A PICTURE."
20 MOM JUST -- NOT FOR THE TRUTH OF THE MATTER. "BY THE
21 WAY, SEYADA IS MAKING LUNCH FOR UNCLE ABAY BECAUSE HE
22 PEED AND YOUR DAD WENT DOWN," WHICH COINCIDES WITH ME
23 SAYING, "HEY, COME TO MY DAD --"

24 THE COURT: SO DON'T -- SO HERE'S WHAT -- YOU'RE
25 NOT DOING THIS ON PURPOSE. DON'T GIVE ME YOUR
COMMENTARY. JUST GIVE ME THE EVIDENCE. AND THEN AT THE
27 END, ONCE ALL OF THE EVIDENCE IS IN, THEN YOU GIVE ME
28 YOUR COMMENTARY. BUT SEPARATE THE COMMENTARY FROM WHAT

1 THE ACTUAL EXHIBIT IS.

2 MR. SAYEGH: SHE SAYS, "I'VE GOT EVERYTHING
3 CHECKED. THEY COULDN'T FIND ANYTHING. I TOLD YOU,
4 REMEMBER, I NEED TO GO TO AN EASTERN DOCTOR. I CAN'T
5 EVEN HOLD MY PHONE WHILE I'M TEXTING."

6 MOM WRITES, "WESTERN MEDICINE, THEY JUST
7 BANDAID AND SEND YOU HOME. EASTERN -- "

8 OKAY.

9 SO SHE SAYS, "I SENT ME A PICTURE OF MY
10 HAND. LET ME SHOW YOU." SO THIS IS THE THIRD
11 PERSON WHO SEES THIS. "I WILL GO. MY WHOLE ARM --
12 IT SUCKS."

13 SHE ALSO TESTIFIED THAT THE KIDS WERE HOME
14 WHEN I HIT HER. AND THE KIDS WERE WITH THE MOM AT
15 THE TIME IN CORONA. AND THIS IS A PHOTO OF THAT.

16 AND THIS IS THE PHOTO SHE TEXTED HER MOM
17 WHERE SHE SAYS, "SEND ME A PHOTO." AND THE
18 CONVERSATION IS MAYBE ALLERGIES. "BEST MEDICINE
19 RIGHT NOW IS TO LAY IN BED ALL DAY."

20 "ARE THE KIDS HAVING PHONE?"

21 SHE SAID THE KIDS WERE THERE WHEN I HIT
22 HER IN THE EYE --

23 MS. SAYEGH: NO.

24 THE COURT: STOP WITH THE COMMENTARY.

25 MR. SAYEGH: I APOLOGIZE.

26 AND THEN IT'S JUST GOING -- I MEAN IT'S
27 IMPORTANT FOR CONTEXT. "BEST TO LAY IN BED. PUT
28 THE CAKE ON."

1 IT'S FRUSTRATING. NOTHING IN HERE
2 REGARDING BEING ASSAULTED. THIS CORROBORATES THAT

3 --

4 NO COMMENTARY.

5 THE COURT: OKAY.

6 SO, MA'AM, WHEN DO YOU THINK THIS INCIDENT
7 OCCURRED?

8 MS. SAYEGH: IT HAPPENED THE 6TH OR THE 7TH.

9 THE COURT: WHICH INCIDENT, MA'AM?

10 MS. SAYEGH: THIS IS THE SAME INCIDENT.

11 THE COURT: WELL, IS IT TRUE --

12 PUT BACK ON THE TEXT.

13 THE WITNESS: I WOKE UP.

14 THE COURT: HOLD ON.

15 IT'S EITHER R-1, -2, OR R-3.

16 WHAT ARE THE TEXT MESSAGES -- THE TEXT
17 MESSAGES TO YOUR MOM.

18 RECEIVE.

19 ALL RIGHT.

20 MA'AM, DID YOU WRITE THIS TEXT?

21 MS. SAYEGH: I DID.

22 THE COURT: TO YOUR MOTHER?

23 MS. SAYEGH: MY MOTHER.

24 THE COURT: AND EXPLAIN WHY YOU WROTE THIS AND WHY
25 YOU DID IT IN THIS TEXT. SAY THE SAME THING THAT YOU
26 TESTIFIED TO ME -- YOU GOT IT BECAUSE HE HIT YOU IN THE
27 FACE?

28 MS. SAYEGH: I DON'T TELL MY MOTHER ANYTHING. I

1 DON'T TELL HER ABOUT MY LIFE. I TRY TO AVOID TELLING
2 HER ANYTHING ABOUT MY PRIVATE DAILY FUNCTIONS. AND HE
3 HAD -- THIS HAD HAPPENED MONTHS -- THE 6TH OR THE 7TH.

4 THE KIDS -- I NEVER SAID THE KIDS WERE
5 WITH ME.

6 THE COURT: I'M JUST ASKING ABOUT THE STATEMENT.
7 SO YOUR TESTIMONY IS THAT YOU INTENTIONALLY OMITTED OR
8 MADE UP A STORY ABOUT YOUR EYE BECAUSE YOU DIDN'T WANT
9 TO TELL YOUR MOM SOMETHING?

10 MS. SAYEGH: NO. NO. NO, I DID NOT.

11 I NEVER MADE THAT UP.

12 MR. KOLODJI: WELL, I WANT TO CLARIFY.

13 HAS YOUR MOTHER EVER DONE ANYTHING TO
14 ASSIST IN HIDING THE DOMESTIC VIOLENCE IN YOUR
15 RELATIONSHIP?

16 MS. SAYEGH: NEVER.

17 THE COURT: YOUR MOTHER HAS NEVER?

18 MS. SAYEGH: SHE HID IT. SHE HID EVERYTHING.

19 MR. KOLODJI: THERE WAS -- WASN'T THERE AN INCIDENT
20 IN THE HOTEL MANY YEARS AGO?

21 A HUNTINGTON, YES.

22 Q AND WHAT HAPPENED AT THAT INCIDENT?

23 MR. SAYEGH: SORRY, WHAT --

24 THE COURT: HOLD ON --

25 THE WITNESS: MY MOTHER -- SHE LIVED IN ARIZONA
26 BACK THEN. HE HAD CALLED MY MOM. MY DAUGHTER WAS SIX
27 MONTHS OLD AT THE TIME. HE HAD CALLED MY MOM AFTER A
28 BEATING -- I MEAN A BEATING OF A LIFETIME. AND SHE

1 DROVE FOUR HOURS STRAIGHT FROM ARIZONA TO THE HOTEL.
2 AND WHEN I WOKE UP, AND MY MOM WAS LAYING DOWN LIKE AS
3 IF HE DIDN'T KNOW WHAT TO DO WITH MY BODY.

4 Q HOW LONG DID YOU STAY WITH YOUR MOM AT THE
5 HOTEL?

6 A ABOUT A WEEK.

7 Q WOULD IT BE TRUE TO SAY THAT YOUR MOM ASSISTED
8 IN COVERING UP THE DOMESTIC VIOLENCE THAT OCCURRED IN
9 THE RELATIONSHIP?

10 A YES.

11 Q AND SO THERE'S GOING TO BE A PUBLIC FUNCTION
12 THAT DAY?

13 A YES.

14 Q WERE YOU READY TO SHOW YOURSELF AND PRESENT
15 YOURSELF --

16 A NO.

17 Q -- TO THAT PUBLIC FUNCTION?

18 A NO. NO.

19 Q AND DID YOU COME UP WITH EXCUSES FOR WHAT WAS
20 CAUSING THAT BRUISE TO YOUR EYE?

21 A SURE. YES.

22 MR. SAYEGH: YOUR HONOR, HE'S LEADING.

23 THE COURT: SUSTAINED.

24 THERE ARE OTHER PHOTOGRAPHS IN YOUR
25 OCTOBER 8, SUPPLEMENTAL. SO LET'S WALK THROUGH
26 THOSE TO SEE IF --

27 SIR, YOU RECEIVED ON OCTOBER 8TH A
28 SUPPLEMENTAL.

1 MR. SAYEGH: YES, YOUR HONOR.

2 THE COURT: YOU SAW THE PHOTOGRAPHS THAT WERE

3 LISTED -- THE PHOTOGRAPH OF THE BRUIISING ON HER NECK,

4 BRUIISING ON THE OTHER EYE, BLOODY LIP?

5 MR. KOLODJI: I HAVE THAT.

6 THE COURT: SO WHY DON'T YOU WALK THROUGH.

7 MR. KOLODJI: LET'S GO TO EXHIBIT F.

8 THE COURT: WE'RE BACK ON DIRECT.

9 MR. KOLODJI: I'D LIKE TO --

10 THE COURT: HOLD ON.

11 SO, MA'AM, IS THIS --

12 WHICH EXHIBIT IS THIS?

13 MR. KOLODJI: THIS IS EXHIBIT B.

14 THE COURT: WHAT IS THIS A PICTURE OF?

15 MS. SAYEGH: THAT'S MY LIP, MY UPPER LIP.

16 THE COURT: DO YOU REMEMBER WHEN THIS PICTURE WAS

17 TAKEN?

18 MS. SAYEGH: I WAS GOING THROUGH MY PHONE, AND THIS

19 WAS ON MY PHONE. IT SAID, "2023 OF NOVEMBER."

20 THE COURT: NOVEMBER 2023.

21 MR. KOLODJI: YOUR HONOR, WOULD I BE ABLE TO HAVE

22 MY CLIENT PULL UP HER PHONE?

23 THE COURT: LET ME GO THROUGH THESE PHOTOGRAPHS AND

24 SEE.

25 OKAY.

26 SO THERE'S A PHOTOGRAPH OF YOUR UPPER LIP.

27 IT LOOKS LIKE THERE'S A BRUIISING ON YOUR LIP.

28 THE WITNESS: UH-HUH, YES.

1 THE COURT: SO WHAT HAPPENED TO YOUR LIP?

2 THE WITNESS: THAT WAS -- THIS PHOTO WAS TAKEN
3 MAYBE TWO DAYS AFTER THE INCIDENT WHEN HE CAME HOME FROM
4 THE ICE HOUSE AND HE HAD AN ALTERCATION. AT THAT TIME,
5 I WAS HOME. I WAS NO LONGER IN THAT UGLY LIFE OF THE
6 REHABS AND ALL THAT. I HAD FULLY --

7 THE COURT: WHAT DO OUT MEAN "UGLY LIFE OF REHAB?"

8 MS. SAYEGH: I HAD AN UGLY -- I SPIRALED DOWN THIS
9 RABBIT HOLE OF A DISGUSTING LIFE. AND I WASN'T ABLE TO
10 GET HELP UNLESS AND UNTIL D.C.F.S. CAME INTO MY LIFE AND
11 SAVED ME.

12 THE COURT: SO YOU WERE SPIRLING DOWN?

13 MS. SAYEGH: YES.

14 IN 2021.

15 THE COURT: IN 2021.

16 AND WAS THIS SPIRLING INVOLVING DRUGS?

17 MS. SAYEGH: UNFORTUNATELY.

18 THE COURT: IS THAT YES?

19 MS. SAYEGH: YES.

20 THE COURT: AND THEN HE D.C.F.S. CAME IN?

21 MS. SAYEGH: UH-HUH.

22 THE COURT: IS THAT YES?

23 MS. SAYEGH: YES.

24 THE COURT: OKAY.

25 AND SO DURING THIS SPIRLING IN 2021, THIS
26 PICTURE WAS TAKEN 2023?

27 MS. SAYEGH: CORRECT.

28 THE COURT: WHAT HAPPENED TO YOUR LIP?

1 MS. SAYEGH: SO HE CAME HOME BELLIGERENTLY, DRUNK.
2 AND ALL I ASKED HIM WAS, YOU KNOW, "HEY, WHAT'S GOING
3 ON?" YOU KNOW 2:30 IN THE MORNING. AND HE DIDN'T EVEN
4 RESPOND. HE JUST GRABS ME BY THE HAIR AND HEADBUTTS MY
5 LIP.

6 THE COURT: HE HEADBUTTED YOU?

7 MS. SAYEGH: YES.

8 THE COURT: AND THAT'S WHAT CUT YOUR LIP?

9 MS. SAYEGH: IT WENT INTO MY TOOTH.

10 THE COURT: OKAY.

11 SO HERE'S SOME OTHER PHOTOGRAPHS, MA'AM.

12 DO YOU RECOGNIZE -- IS THIS YOU IN THIS
13 PHOTOGRAPH?

14 MS. SAYEGH: YES.

15 THOSE ARE THE 2021. THOSE ARE THE ONES
16 THAT --

17 THE COURT: IS THIS EXHIBIT C?

18 MR. KOLODJI: THIS IS EXHIBIT F, YOUR HONOR.

19 THE COURT: EXHIBIT F.

20 OKAY.

21 EXHIBIT F, THERE ARE THREE PHOTOS. SO
22 THIS IS A PHOTO OF YOU?

23 MS. SAYEGH: YES.

24 THE COURT: I SEE SOMETHING AROUND YOUR RIGHT EYE.
25 WHAT HAPPENED?

26 MS. SAYEGH: THIS WAS THE NIGHT -- I THINK THIS IS
27 A COUPLE OF DAYS -- SO THESE PHOTOS WERE TAKEN
28 THROUGHOUT THE FULL WEEK AFTERWARDS. BUT THERE WAS AN

1 ALTERCATION THE NIGHT -- ONE NIGHT, IT WAS JANUARY -- IT
2 WAS IN JANUARY -- BEGINNING OF JANUARY.

3 MR. KOLODJI: YOU SAID IN THE BEGINNING OF JANUARY?

4 MS. SAYEGH: YEAH, IT WAS THE BEGINNING OF JANUARY.

5 SO HE --

6 HOLD ON.

7 THIS WAS A VERY INTERESTING STORY.

8 AM I TELLING IT FROM THE BEGINNING TO END?

9 THE COURT: YOU'RE TELLING ME HOW YOU GOT THE
10 INJURIES ON YOUR FACE.

11 MS. SAYEGH: OKAY.

12 SO I WENT OUTSIDE TO PUT THE FOOD AWAY.

13 AND AS HE WAS IN THE CHILDREN'S ROOM, THE KIDS WERE
14 IN PLAYING IN BED. HE STARTS TELLING ME LIKE
15 DISGUSTING WORDS AND TELLING ME DISGUSTING --
16 TELLING ME I'M WORTHLESS AND ALL OF THESE THINGS. I
17 HAD A HEAVY THING OF COOKING. AND I HAVE LIKE A
18 LITTLE CATERING AREA OF FOOD I TOOK OUTSIDE. I'M AT
19 THE REFRIGERATOR PUTTING THE POT AWAY. AND I JUST
20 HAD IT. I REALLY --

21 MR. KOLODJI: CAN YOU TELL COURT WHAT HE WAS SAYING
22 SPECIFICALLY AS YOU RECALL.

23 MS. SAYEGH: HE WAS TELLING ME THAT I'M STUPID, I'M
24 A LOSER, I'M WORTHLESS, I'M A PIECE OF -- THE WHOLE
25 WORDS.

26 AND I WAS REALLY ANGRY. AND I WENT INTO
27 THE ROOM, THE KIDS' ROOM, THAT HE WAS IN. AND
28 THERE'S A LITTLE PLASTIC TABLE, AND I KIND OF JUST

1 STORMED IN THE ROOM, AND I FLIPPED THE TABLE. AND
2 THAT'S WHEN HE JUST LOST IT.

3 MR. KOLODJI: AND CAN YOU DESCRIBE TO THE COURT
4 WHAT HAPPENED WHEN HE LOST IT?

5 THE WITNESS: YES.

6 HE CHASED ME AROUND THE HOUSE. THIS
7 WAS -- HE CHASED ME AROUND THE HOUSE. WE WERE
8 HOPPING AND POPPING. HE THREW ME AGAINST THE WALL,
9 BUT THIS EYE -- PARTICULAR HAPPENED WHEN I WENT INTO
10 THE BABY'S ROOM TO GRAB A DIAPER. AND I'M ON -- I
11 HAD MY HEAD DOWN AT THIS POINT. I KNOW HE'S REALLY
12 ANGRY. AND HE KEEPS YELLING AT ME AND YELLING AT
13 ME. AND I LOOKED UP LIKE THIS, AND THAT'S WHEN HE
14 WENT INTO MY EYE -- PUNCHED ME INTO MY EYE.

15 THE COURT: YELLING AT YOU AND YOU LOOKED UP TO THE
16 LEFT?

17 MS. SAYEGH: YEAH.

18 I'M AT THE CABINET. I PULLED OUT THE
19 DRAWER, PULLED OUT A DIAPER. AND HE'S STILL LIKE
20 HOVERING OVER ME, SCREAMING AT ME. AND I KIND OF
21 LIKE THIS -- AS SOON AS I WENT LIKE THIS AND THEN HE
22 CLOCKED MY EYE.

23 THE COURT: BY "CLOCKED," HE STRUCK YOU IN THE
24 FACE?

25 MS. SAYEGH: YES.

26 THE COURT: AND THAT'S WHAT GAVE YOU THIS BLACK
27 EYE?

28 THE WITNESS: UH-HUH.

1 THE COURT: IS THAT YES?

2 MS. SAYEGH: YES.

3 THE COURT: THAT'S THE SAME PHOTO AS --

4 MR. KOLODJI: NO.

5 THIS IS A DIFFERENT TIME.

6 I PUT THE THREE PICTURES INSIDE HER
7 DECLARATION WHICH I ALSO ATTACHED DUPLICATIVE AS
8 EXHIBIT F.

9 THE COURT: SO I HAVE EXHIBIT D AN UPPER LIP INJURY
10 IN 2023. IS THIS A DIFFERENT INJURY.

11 MS. SAYEGH: THIS IS A DIFFERENT --

12 THE COURT: HOLD ON.

13 MR. KOLODJI: WE'RE TALKING ABOUT THE JANUARY 2022
14 INCIDENT.

15 AND EXHIBIT C IS THE NOVEMBER 2023
16 INCIDENT.

17 THE COURT: OKAY.

18 IT LOOKS TO BE THE SAME PHOTOGRAPH, MR.
19 KOLODJI.

20 MR. KOLODJI: YOU'RE RIGHT, YOUR HONOR.

21 THE COURT: ALL RIGHT.

22 HOLD ON A SECOND.

23 AND MA'AM, THIS IS THE SAME PHOTOGRAPH
24 THAT YOU TESTIFIED TO --

25 MS. SAYEGH: THAT JANUARY.

26 THE COURT: OKAY.

27 -- WITH HIM CHASING YOU AND YOUR PULLING
28 OUT THE DIAPER FROM THE DIAPER BAG?

1 MS. SAYEGH: UH-HUH?

2 THE COURT: IS THAT YES?

3 THIS IS A CLOSEUP OF THE SAME PHOTOGRAPH?

4 MS. SAYEGH: YES.

5 THE COURT: LOOKS TO BE MARKS AROUND YOUR NECK.

6 MS. SAYEGH: UH-HUH.

7 THE COURT: DON'T SAY, "UH-HUH."

8 MS. SAYEGH: YES.

9 THE COURT: SO TELL ME ABOUT THIS.

10 MS. SAYEGH: THIS ONE HE SLAPS ME REALLY HARD AFTER
11 HE PULLS MY SWEATER -- DOWN TO THE FLOOR, HE SLAPS ME
12 REALLY HARD, AND THEN HE STARTS CHOKING ME.

13 THE COURT: AND IS THIS PART OF THE "F" EXHIBITS?

14 MR. KOLODJI: IT IS, YOUR HONOR.

15 THE COURT: ALL RIGHT.

16 THESE ARE PART OF THE "F" EXHIBITS.

17 MR. KOLODJI: IF YOU LOOK AT YOUR PHONE, THESE ARE
18 ALL THE SAME TIME.

19 MS. SAYEGH: YES.

20 THE COURT: AND THERE'S SWELLING AROUND YOUR NECK.
21 HOW DID YOU GET THOSE MARKS?

22 MS. SAYEGH: BY HIS HANDS.

23 THE COURT: SO, MR. KOLODJI, I KNOW THAT IN THE --
24 IN HER DECLARATION SHE ALLEGES GASLIGHTING; SHE ALLEGES
25 A NUMBER OF DIFFERENT THEORIES OF DOMESTIC VIOLENCE.
26 LET'S STICK WITH THE EXAMPLES OF ASSAULTS BECAUSE WE
27 HAVE HE-SAID/SHE-SAID. RIGHT? BUT THEN IF YOU HAVE
28 PHOTOGRAPHS --

1 OKAY.

2 -- WELL, THEN PHOTOGRAPHS, IF THEY'RE
3 CONSISTENT WITH THE TESTIMONY. BUT WE'RE NOT DONE
4 WITH THE HEARING, BUT I HAVE THESE PHOTOGRAPHS.

5 IS THERE ANY OTHER PHOTOGRAPHS?

6 MR. KOLODJI: YOUR HONOR, THERE WOULD BE ANOTHER
7 INCIDENT THAT OCCURRED.

8 LET ME JUST FIND HERE --

9 THE COURT: I'LL GO BACK ON THE DOCUMENT CAMERA.

10 MR. KOLODJI: I WANTED TO --

11 LET ME JUST --

12 I WANT TO DRAW YOUR ATTENTION TO THE
13 INCIDENT THAT OCCURRED IN JULY 2001.

14 THE COURT: SIR, YOU CAN'T TESTIFY. YOU CAN SHOW
15 HER A PICTURE OR ASK HER WHAT HAPPENED.

16

17 DIRECT EXAMINATION (RESUMED)

18 BY MR. KOLODJI:

19 Q LET ME SHOW YOU.

20 A YES.

21 THIS IS HIS CAR.

22 THE COURT: SO LET ME PUT ON COUNSEL'S COMPUTER.

23 OKAY.

24 WHICH EXHIBIT IS THIS?

25 MR. KOLODJI: THIS IS MY EXHIBIT I, YOUR HONOR.

26 THE COURT: EXHIBIT I.

27 AND SO, MA'AM, WHAT'S EXHIBIT I? WHAT'S
28 IT SHOWING HERE?

1 THE WITNESS: YES, THIS IS HIS CAR. I'M IN THE
2 PASSENGER SEAT, AND HE'S IN THE DRIVER'S SEAT. NOW --

3 MR. KOLODJI: WHAT CAUSED THIS?

4 THE WITNESS: HE PUNCHED THE WINDOW ON THIS ONE.

5 MR. KOLODJI: CAN YOU DESCRIBE THAT INCIDENT?

6 THE WITNESS: YES.

7 HE PUNCHED THE WINDOW AFTER HE PUNCHED MY
8 FACE. AND I MEAN BRUTALLY POUNDING MY FACE AS I WAS
9 IN THE PASSENGER'S SEAT --

10 THE COURT: I HAVEN'T SEEN THIS PHOTO BEFORE.

11 THE WITNESS: THIS IS THE FIRST TIME I GOT OUT OF
12 THE CAR, MY NOSE IS BLEEDING.

13 THE COURT: SLOW DOWN.

14 THIS IS NOT EXHIBIT I. THIS IS EXHIBIT 1.

15 MR. KOLODJI: YOUR HONOR, I WOULD LIKE TO MAKE
16 THESE 4 PICTURES EXHIBIT I. THIS WILL BE EXHIBIT I-2.

17 THE WITNESS: SO --

18 THE COURT: OKAY.

19 SO THIS IS I-2.

20 (WHEREUPON, RESPONDENT'S EXHIBIT I-2
21 WAS MARKED FOR IDENTIFICATION.)

22 MR. KOLODJI: IT'S CONCERNING THE JULY 2021
23 INCIDENT.

24 THE COURT: OKAY.

25 ALL RIGHT.

26 MA'AM, SO I-1 IS A PHOTOGRAPH OF THE
27 WINDSHIELD CRACKED. AND YOUR TESTIMONY IS THAT THE
28 RESPONDENT PUNCHED THE WINDSHIELD?

1 THE WITNESS: YES.

2 THE COURT: AND I-2 IS A PICTURE OF YOUR FACE AND
3 IT APPEARS TO HAVE SOME INJURY.

4 MS. SAYEGH: WE WERE ON OUR WAY HOME FROM A LONG
5 NIGHT. AND I DON'T KNOW -- REMEMBER EXACTLY WHAT LED TO
6 IT. BUT ALL I KNOW MY FACE WAS -- HIS FIST POUNDS THREE
7 OR FOUR TIMES INTO MY FACE. MY NOSE IS BLEEDING AS YOU
8 CAN SEE. AND MY EAR IS BLEEDING AS WELL. I HAD BLOOD
9 COMING FROM MY EARS.

10 Q BY MR. KOLODJI: I WOULD LIKE TO SHOW TWO
11 ADDITIONAL PICTURES ON I-3, DATED JULY 11TH, 2021 AT
12 9:09 P.M. EXHIBIT I-4, JULY 11TH 2021.

13 DO THESE FOUR EXHIBITS DESCRIBE WHAT HAPPENED
14 --

15 A UH-HUH, YES.

16 Q -- THAT DAY?

17 AND WHERE WERE YOU WHEN HE BASHED YOU IN THE
18 FACE?

19 A PASSENGER'S SIDE.

20 Q WHO ELSE WAS IN THE CAR?

21 A NOBODY.

22 MR. KOLODJI: NOTHING FURTHER.

23 THE COURT: WE'RE GOING TO GO ANOTHER 15 MINUTES
24 BEFORE WE TAKE OUR MORNING BREAK.

25 FIRST, LET ME UNDERSTAND. IS IT YOUR
26 TESTIMONY, SIR, THAT YOU NEVER HIT HER, YOU'VE NEVER
27 BEEN PHYSICAL WITH HER?

28 MR. SAYEGH: IT IS MY TESTIMONY.

1 AS FAR AS THE JANUARY 22ND EVENT, I'D LIKE
2 TO EXPLAIN WHAT OCCURRED THERE.

3 THE COURT: JUST ANSWER A SIMPLE QUESTION, SIR.

4 HAVE YOU EVER HIT THE PETITIONER?

5 MS. SAYEGH: WE HAD DISPUTES PRIOR TO THE BIRTH OF
6 OUR FIRST CHILD WHEN SHE WOULD DRINKING A LOT OF ALCOHOL
7 AND SHE WOULD BE AGGRESSIVE AND -- BUT NEVER HITTING AS
8 FAR AS --

9 THE COURT: SO I'M TRYING TO BE CLEAR. YOU CAN
10 SAY, "NO, I'VE NEVER HIT HER." OR "YES, I HIT HER." OR
11 "YES, WE'VE HAD MUTUAL COMBAT." I DON'T KNOW WHAT YOUR
12 TESTIMONY IS, SIR.

13 MR. SAYEGH: PRIOR TO HAVING THE CHILDREN, YES,
14 THERE'S BEEN MUTUAL ARGUMENTS, MUTUAL FIGHTS.

15 THE COURT: AND YOUR YOUNGEST CHILD WAS BORN IN
16 2019?

17 MR. SAYEGH: YES, YOUR HONOR.

18 THE COURT: SO YOUR TESTIMONY IS AFTER 2019, YOU'VE
19 NEVER BEEN PHYSICAL WITH THE RESPONDENT?

20 MR. SAYEGH: NO, YOUR HONOR.

21 THE COURT: AT ALL?

22 MR. SAYEGH: WE HAVE THE 2011 INCIDENT -- I MEAN
23 2021 I MEAN 2021 -- 2022 WHICH I HAVE TO EXPLAIN IT,
24 SIR.

25 THE COURT: SO IS IT A "YES" WITH AN EXPLANATION,
26 OR "NO, I'VE NEVER BEEN PHYSICAL?"

27 MR. SAYEGH: IT IS YES WHEN SHE ASSAULTED ME THAT
28 DAY.

1 THE COURT: SO YOU'RE SAYING IT'S SELF-DEFENSE?

2 MR. SAYEGH: YES.

3 AND I'LL BE ABLE TO ESTABLISH THAT.

4 THE COURT: SO YOUR TESTIMONY IS THAT YOU MAY HAVE
5 HIT HER, BUT YOU ONLY HIT HER IN SELF-DEFENSE?

6 MR. SAYEGH: THE ONE TIME ON THE 21ST. THAT'S THE
7 22ND THAT SHE ALLEGES.

8 THE COURT: SO SINCE YOUR CHILDREN HAVE BEEN BORN,
9 YOU MAY HAVE HIT HER ONE TIME, BUT THAT WAS IN
10 SELF-DEFENSE?

11 MR. SAYEGH: YES, YOUR HONOR.

12 THE COURT: IS THAT YOUR TESTIMONY?

13 MR. SAYEGH: YES.

14 THE COURT: AND THE INCIDENT THAT YOU SAID YOU HIT
15 HER IN SELF-DEFENSE, WAS WHAT?

16 MR. SAYEGH: THAT'S THE ONE WHERE THE NECK -- AND I
17 WOULD LIKE AN OPPORTUNITY TO EXPLAIN.

18 THE COURT: YOU'LL HAVE AN OPPORTUNITY. I JUST
19 WANT -- FIRST, I WANT TO SEE WHAT YOUR SIDE OF THE STORY
20 IS BECAUSE THE ALLEGATIONS IS YOU'VE BEEN BEATING HER UP
21 FOR YEARS.

22 SO YOU'RE SAYING, "I'VE NOT BEEN BEATING
23 HER UP FOR YEARS. IF ANYTHING, I HIT HER ONE TIME
24 IN SELF-DEFENSE BACK IN 2021."

25 DO I HAVE YOUR TESTIMONY CORRECT?

26 MR. SAYEGH: YES.

27 THE COURT: SO THE OTHER PHOTOGRAPHS FROM OTHER --
28 FROM NOVEMBER 2023 -- THE UPPER LIP -- NO, THAT'S NOT

1 YOU?

2 MR. SAYEGH: MAY I --

3 THE COURT: I'M JUST ASKING YOU A SIMPLE QUESTION.

4 MR. SAYEGH: NO, THAT WAS NOT ME, YOUR HONOR.

5 THE COURT: SO YOU DID NOT HIT HER IN 2023.

6 AND THE WINDSHIELD?

7 MR. SAYEGH: I HAVE NO IDEA, THE WINDSHIELD OR EYE

8 --

9 THE COURT: EITHER YOU REMEMBER BREAKING A
10 WINDSHIELD WITH YOUR FIST -- IT EITHER IT HAPPENED OR IT
11 DIDN'T.

12 MR. SAYEGH: ABSOLUTELY NOT.

13 THE COURT: SO YOU NEVER BROKE A WINDSHIELD.

14 MR. SAYEGH: ABSOLUTELY NOT.

15 THE COURT: AND THE MARKS AROUND HER NECK YOU DID
16 NOT PUT THOSE INJURIES ON HER?

17 MR. SAYEGH: THAT WAS MADE UP.

18 I HAVE TO HAVE MY TIME.

19 THE COURT: WHEN I ASK YOU A SIMPLE QUESTION, "NO,
20 I DIDN'T HIT HER --"

21 MR. SAYEGH: OKAY.

22 THE COURT: HOW SHE STAGED A PHOTOGRAPH -- THE
23 QUESTION IS: "DID YOU HIT HER."

24 MR. SAYEGH: NO, YOUR HONOR.

25 BUT THAT DAY -- THAT'S THE DATE, BUT
26 THAT'S THE --

27 THE COURT: SHE ALSO TESTIFIED THAT YOU ROUTINELY
28 NAME CALL, YELLING -- IS ANY OF THAT TRUE?

1 MR. SAYEGH: NO. NOT ROUTINELY. NOT AT ALL.

2 AND I HAVE A LONG SERIES OF --

3 THE COURT: SO BEFORE YOU BEGIN, SHE'S TESTIFIED
4 THAT SHE WAS SPIRLING, THAT SHE'S HAD ISSUES WITH DRUGS.
5 SO IT'S NOT ALL SELF-INTERESTING WHICH MAKES IT A LITTLE
6 MORAL CREDIBLE.

7 YOUR TESTIMONY IS YOU'VE DONE ANYTHING
8 WRONG -- MAYBE YOU'VE HIT HER ONE TIME, BUT THAT WAS
9 IN SELF-DEFENSE, BUT YOU NEVER NAME CALLED --

10 MR. SAYEGH: THAT'S NOT MY TESTIMONY.

11 THE COURT: GO AHEAD, SIR.

12 YOU CAN PRESENT YOUR EVIDENCE, SIR. I
13 UNDERSTAND YOUR POSITION.

14 MR. SAYEGH: IF I MAY, YOUR HONOR.

15 THE COURT: GO AHEAD.

16 MR. SAYEGH: LET'S GO --

17 THE COURT: REMEMBER, WE'RE TAKING A BREAK AT
18 10:30.

19 THE WITNESS: THIS DOCUMENT HERE.

20 THE COURT: SO THIS IS EXHIBIT -- EXHIBIT B.

21 THE WITNESS: THIS DOCUMENT HERE IS A LIP
22 INJECTION.

23 THE COURT: SO, SIR, YOU NEED TO HAVE EVIDENCE.
24 YOU CAN'T JUST SHOW A PHOTOGRAPH AND TELL ME IT'S A LIP
25 INJECTION.

26 THE WITNESS: SO I PROVIDED AN EXPERT WITNESS TO
27 THIS ISSUE AND WE'VE PRESENTED THEY'VE REVIEWED THIS,
28 AND PREPARED DECLARATION, AND PRESENTED A D.C. --

1 THE COURT: IF YOU HAVE A WITNESS HERE IN COURT
2 WHOSE A MEDICAL PROFESSIONAL TO TESTIFY TO --

3 THE WITNESS: MAY I PRESENT THESE PHOTOS NOT FOR
4 THE TRUTH OF THE MATTER, SIMPLY DEMONSTRATIVELY --

5 THE COURT: SIR, YOU'RE NOT ABLE TO SHOW A
6 PHOTOGRAPH AND SAY THIS WAS STAGED. YOU HAVE TO HAVE
7 PERSONAL INFORMATION. LIKE, IF YOU SAW HER PUT ON
8 MAKEUP, IF YOU SAW HER DISGUIISING, TESTIFY TO THAT. BUT
9 YOUR COMMENTARY IS NOT EVIDENCE. YOUR COMMENTS WILL BE
10 AT THE END AFTER THE EVIDENCE IS CLOSED.

11 SO GIVE ME YOUR EVIDENCE, SIR, YOUR
12 TESTIMONY.

13 THE WITNESS: SURE.

14 I HAVE TEXT MESSAGES BETWEEN HER AND HER
15 SISTER REGARDING LIP INJECTIONS.

16 THE COURT: OKAY.

17 YOU WANT TO MARK THIS AS AN EXHIBIT?

18 MR. SAYEGH: YES.

19 R-2. THIS IS A CONVERSATION WITH SISTER
20 AND HERSELF.

21 (WHEREUPON, RESPONDENT'S EXHIBIT R-4
22 WAS MARKED FOR IDENTIFICATION.)

23 THE COURT: SHE'S IN THE GRAY?

24 THE WITNESS: WOMEN ARE --

25 THE COURT: SIR, I DON'T WANT TO HEAR --

26 THE WITNESS: OH, OKAY.

27 THE COURT: JUST SHOW ME THE EXHIBIT, AND TELL ME
28 WHAT IT SAYS.

1 THE WITNESS: THIS IS A CONVERSATION BETWEEN HER
2 AND HER SISTER REGARDING HER FILLERS. SHE WENT TO L.A.
3 BEAUTY SKIN CENTER. THE PHOTOS THAT SHE SHOWED OF THE
4 LIP AND THE COURT TOOK A LOOK AT IT -- THERE'S AN
5 INJECTION SITE. THIS PHOTO WAS TAKEN THREE HOURS LATER,
6 AND IT HAD BLED. THERE'S AN INJECTION SITE. THE LIPS
7 ARE PUFFED OUT.

8 THE COURT: SIR, THIS IS YOUR -- YOU'RE TRYING TO
9 GIVE COMMENTARY AND TESTIMONY BUT YOU CAN'T DO THAT.

10 SO THIS IS AN EXHIBIT OF THE PETITIONER'S
11 TEXT MESSAGES. AND IN THAT TEXT MESSAGE, THE
12 PETITIONER STATES THIS IS R-2, L.A. BEAUTY SKIN
13 CENTER. "I NEVER DID LASER. TRY IT. THEY KNOW HOW
14 TO RAISE THE BROW. WOMEN ARE TAKING IT BACK NOW TO
15 HAVE A BIGGER FOREHEAD."

16 SO THAT'S HER TEXT MESSAGE?

17 THE WITNESS: YES.

18 THE COURT: WHAT ELSE DO YOU HAVE?

19 THE WITNESS: AS FAR AS --

20 THE COURT: I DON'T WANT YOUR COMMENTARY SIR.

21 FIRST, GET ALL THE EVIDENCE IN, AND THEN
22 YOU CAN GIVE ALL OF YOUR ARGUMENT.

23 THE WITNESS: I WOULD LIKE TO PRESENT EVIDENCE AS
24 TO WHERE I WAS ON THE DATE OF THIS INCIDENT THAT SHE
25 ALLEGES THAT I CAME HOME AND WHAT HAD OCCURRED THAT DAY.

26 THE COURT: OKAY.

27 AND THAT WAS AUGUST 26TH.

28 THE WITNESS: YES, YOUR HONOR.

1 THE COURT: OKAY.

2 THE WITNESS: THIS IS THE NOVEMBER 4TH DATE.

3 WHAT DO YOU WANT TO MARK THIS EXITED AS.

4 R-3, THESE ARE TEXT MESSAGES BETWEEN
5 MYSELF, AND NUHA.

6 THE COURT: HERS WILL COME IN, YOURS WILL NOT --
7 FOR THE TRUTH --

8 IS THE GRAY HER?

9 THE WITNESS: YES, YOUR HONOR.

10 THE COURT: "GOOD MORNING. HOW IS IT GOING?"
11 AND THIS IS A TEXT MESSAGE FROM
12 NOVEMBER 4, 2023. AND WHAT IS THIS RELEVANT TO
13 SHOW?

14 THE WITNESS: THIS IS SHOWING HER AND I
15 COMMUNICATING THAT MORNING --

16 THE COURT: OKAY.

17 THE WITNESS: OF THE INCIDENT -- SHE --
18 WELL, THROUGH THE TEXT, SHE'S AT WORK.

19 THE COURT: NO THE TEXT SAID, "GOOD MORNING."

20 THE WITNESS: "GOOD MORNING. HOW'S IT GOING?
21 HELLO, GOOD MORNING. HOW'S IT GOING? I HAVE THE KIDS
22 OVER HERE FOR BREAKFAST."

23 SHE RESPONDS, "HOW DID SHE DO? WHERE WAS
24 THE TOURNAMENT?" SECOND PLACE -- SHE RESPOND,
25 "DAMN, I WISH I WERE THERE. I DIDN'T I THINK IT
26 WOULD BE THAT BIG. I'M SO PROUD OF HER."

27 THIS IS JUST GOING THROUGH -- "I'M SO
28 PROUD OF HER." THE TEXT MESSAGES THROUGHOUT THAT

1 MORNING, THE DATE.

2 SHE WAS AT WORK. "HELD OUT WHY. WHY WERE
3 YOU GUYS THERE SO LONG?" SHE'S CLOCKING IN AND OUT
4 AND THAT SHE WOULD BE HOME, WHICH SHE WOULD BE HOME
5 AT 10:00 P.M. THAT DAY.

6 AND THIS IS THE FOLLOWING DAY REGARDING
7 RITE AID.

8 THE COURT: THIS IS R-4. THIS NOW A TEXT MESSAGE
9 FROM --

10 THE WITNESS: IF I MAY GO BACK TO HER LIP.

11 THE COURT: YES.

12 GOING BACK TO THE PHOTO, EXHIBIT F.

13 MR. SAYEGH: MAY I INQUIRE?

14 THE COURT: YES.

15 MR. SAYEGH: MS. SAYEGH, IN YOUR DECLARATION YOU
16 STATED THAT YOU HAD BLED -- YOU WERE BLEEDING.

17 MS. SAYEGH: YES.

18 MR. SAYEGH: FROM YOUR LIP?

19 MS. SAYEGH: UH-HUH.

20 MR. SAYEGH: AND THIS PHOTO THAT YOU TOOK THAT WAS
21 TAKEN, IN YOUR DECLARATION, AN HOUR AND A HALF AFTER THE
22 ALLEGED ASSAULT?

23 MS. SAYEGH: NO.

24 I TOOK THIS PHOTO ABOUT TWO DAYS AFTER THE
25 ALLEGED -- ABOUT TWO DAYS MAYBE, GIVEN OR TAKE.

26 MR. SAYEGH: YOUR TIME STAMP ON YOUR PHOTO --

27 MS. SAYEGH: YEAH, I --

28 THE COURT: WAIT FOR HIM TO FINISH.

1 MR. SAYEGH: -- SAID 2:56 A.M.

2 THE WITNESS: I'VE WOKEN UP PROBABLY FROM THE PAIN,
3 WOKE UP AND THEN TOOK A PICTURE. IT HAPPENED MAYBE TWO
4 DAYS.

5 MR. SAYEGH: DO YOU HAVE THE TIME STAMP FROM YOUR
6 PHOTO?

7 MS. SAYEGH: SURE.

8 MR. KOLODJI: YOUR HONOR, I -- THE PETITIONER'S
9 PHONE --

10 MR. SAYEGH: AND THE TIME STAMP SAYS 2:59 A.M.?

11 MS. SAYEGH: YES.

12 MR. SAYEGH: AND THAT'S ON THE 4TH?

13 MS. SAYEGH: YES.

14 THIS IS A COUPLE OF DAYS AFTER.

15 MR. SAYEGH: SO DID YOU SAY THE ASSAULT HAPPENED ON
16 THE 4TH?

17 MS. SAYEGH: YES.

18 I -- I THOUGHT THE ASSAULT HAPPENED ON THE
19 4TH. IT WAS 2023. IT WAS A LONG TIME AGO. SO IT
20 HAD HAPPENED A COUPLE OF DAYS BEFORE. AND I WAS IN
21 PAIN. I REMEMBER NOW. I HAVE VERY BAD MEMORY
22 OTHERWISE.

23 THE COURT: IT'S 10:30, WE'RE GOING TO TAKE OUR
24 HOUR MORNING RECESS TO LET'S SAY 10:50. YOU'LL HAVE
25 ENOUGH TIME TO STRETCH YOUR LEGS. WHEN YOU COME BACK,
26 RESPONDENT WILL WRAP UP. YOU HAVE 20, 30 MINUTES TO
27 PRESENT WHATEVER OTHER EVIDENCE YOU HAVE.

28 SO WE HAVE TO LOCK THE DOORS SO THE STAFF

1 CAN ALSO USE THE RESTROOM. SO YU CAN LEAVE YOUR
2 MATERIALS, TAKE YOUR VALUABLES LIKE YOUR COMPUTER.
3 THERE'S NOBODY GOING TO BE HERE TO GUARD YOUR STUFF.
4 SO TAKE YOUR CELLPHONES YOUR COMPUTERS. YOU CAN
5 LEAVE YOUR PAPERS.

6 (WHEREUPON, A RECESS WAS TAKEN.)

7 THE COURT: BACK ON THE RECORD ON THE RESTRAINING
8 ORDER. EVERYBODY IS --

9 DO YOU HAVE ANY OTHER WITNESSES?

10 MR. SAYEGH: YES, I DO.

11 THE COURT: WHO IS A WITNESS?

12 MR. SAYEGH: SAMERA ARKEL.

13 THE COURT: AND AGAIN, TELL ME WHAT IS THE OFFER
14 OF. PROOF? SHE'LL TESTIFY TO WHAT?

15 MR. SAYEGH: SHE'S GOING TO TESTIFY THAT SHE
16 ADMITTED THAT AFTER SHE GOT SOBER THAT SHE HAD
17 EMBELLISHED HER INJURIES WITH MAKEUP ON THE 27TH. SHE'S
18 GOING TO ADMIT THAT NUHA TOLD HER THOSE WERE LIP FILLERS
19 AND THAT SHE WILL TESTIFY THAT SHE WAS WITH ME ON THE
20 DATE WHERE SHE HAD HER MEDICAL INFECTION.

21 THE COURT: OKAY.

22 ALL RIGHT.

23 LET ME HEAR FROM HER.

24 GOOD MORNING, MA'AM. ARE YOU MS. ARKEL?

25 THE WITNESS: YES.

26 THE COURT: WHY DON'T YOU COME UP HERE TO THE
27 WITNESS STAND. WALK ON UP. AND ONCE YOU GET THERE,
28 REMAIN STANDING, RAISE YOUR RIGHT HAND, AND FACE THE

1 J.A.

2 THE CLERK: YOU DO SOLEMNLY STATE THAT THE
3 TESTIMONY YOU ARE ABOUT TO GIVE IN THE CAUSE NOW PENDING
4 BEFORE THIS COURT SHALL BE THE TRUTH, THE WHOLE TRUTH,
5 AND NOTHING BUT THE TRUTH, SO HELP YOU GOD?

6 THE WITNESS: I DO.

7 THE COURT: PULL UP A CHAIR.

8 TELL ME WHAT IS YOURS FIRST ANDS LAST.
9 NAME?

10 THE WITNESS: MY IN NAME IS SAMERA ARKEL,
11 S-A-M-E-R-A, ARKEL, A-R-K-E-L.

12 THE COURT: GOOD MORNING TO YOU.

13 DO YOU RECOGNIZE THE PARTIES SITTING AT
14 COUNSEL'S TABLE?

15 THE WITNESS: YES.

16 THAT'S MY BROTHER AND SISTER-IN-LAW.

17 THE COURT: OH, FAHED IS YOUR BROTHER?

18 THE WITNESS: YES.

19 THE COURT: HAVE YOU HAD AN OPPORTUNITY -- OR HAVE
20 YOU HAD ANY INSTANCES WHERE YOU'VE SPOKEN TO NUHA?

21 THE WITNESS: NUHA.

22 THE COURT: HAS SHE EVER SPOKEN TO YOU ABOUT ANY
23 INJURIES OR ANY DOMESTIC VIOLENCE BETWEEN THE PARTIES?

24 THE WITNESS: NEVER.

25 THE COURT: SHE'S NEVER SPOKEN ABOUT ANY VIOLENCE?

26 THE WITNESS: NO.

27 THE COURT: HAS SHE EVER TOLD YOU THAT SHE EVER
28 SUFFERED ANY INJURY OR GOT INTO ANY FIGHT OR ALTERCATION

1 WITH YOUR BOTHER?

2 THE WITNESS: NO.

3 THE COURT: HAS SHE EVER TOLD YOU THAT SHE'S EVER
4 EXAGGERATED OR MADE UP CLAIMS ABOUT DOMESTIC VIOLENCE
5 BETWEEN HER AND HER BROTHER?

6 THE WITNESS: AT ONE TIME WHEN SHE FILED A REPORT
7 ON HIM THAT HE HIT HER, AND WE TALKED ABOUT IT. SHE
8 SAID IT WAS AN ACCIDENT; THAT THEY WERE ARGUING. SHE
9 WAS NOT IN GOOD HEALTH. SHE WAS ANGRY. SHE THREW A
10 TABLE. AND HE BLOCKED. AND A SWEATER HIT HER ON THE
11 EYE.

12 THE COURT: DO YOU HAVE -- DO YOU REMEMBER
13 APPROXIMATELY WHAT INCIDENT OR WHAT YEAR SHE WAS
14 TESTIFYING OR TELLING YOU ABOUT?

15 THE WITNESS: GOSH.

16 THE COURT: IF I SAY 2021 DOES THAT SOUND --

17 THE WITNESS: I'LL BE HONEST WITH YOU, BETWEEN
18 COVID AND THE FIRES -- BECAUSE I LOST MY HOUSE IN THE
19 FIRE -- I DON'T EVEN KNOW THE TIMEFRAME. MAYBE THE
20 21ST. IT COULD BE.

21 THAT LONG AGO?

22 THE COURT: I'M ASKING YOU, MA'AM. IF YOU DON'T
23 REMEMBER, THAT'S FINE.

24 THE WITNESS: YEAH.

25 THE COURT: SO YOU HAVE A MEMORY OF AT LEAST ONE
26 TIME THE PETITIONER TELLING YOU THAT SHE MADE A REPORT
27 AGAINST YOUR BROTHER, BUT IT WAS ACTUALLY AN ACCIDENT?

28 THE WITNESS: YES. CORRECT.

1 THE COURT: ANY OTHER INCIDENTS?

2 THE WITNESS: AND THEN SHE ALSO -- SHE ALSO TOLD HE
3 ME THAT SHE HAD PUT MAKEUP ON TO MAKE IT LOOK WORSE
4 BECAUSE WE HAD TALKED TO HER -- BECAUSE WE WERE CLOSE --
5 AND THAT SHE WAS SORRY THAT SHE DID THAT, BUT SHE GOT
6 REALLY SCARED.

7 THE COURT: WHAT EXACTLY DID SHE SAY TO --

8 THE WITNESS: SHE --

9 THE COURT: WHEN --

10 THE WITNESS: UH-HUH.

11 THE COURT: GO AHEAD.

12 THE WITNESS: SHE SAID THAT SHE CALLED MY OTHER
13 COUSIN WHO LOST HER KIDS THROUGH A CUSTODY BATTLE AND
14 THAT SHE WASN'T ABLE TO SEE THE KIDS BECAUSE, I GUESS,
15 SHE WAS ON SUBSTANCE ABUSE. AND SHE SAID THE WAY YOU'VE
16 GOT TO DO THIS IS YOU'VE GOT TO DO IT LIKE THIS. AND
17 YOU NEED TO CALL THE POLICE ON HIM FIRST. AND IF YOU
18 CALL FIRST, IF YOU DO, THIS WILL YOU IN YOUR CASE WITH
19 THE KIDS.

20 THE COURT: OKAY.

21 SHE HAD HER OWN CASE WITH D.C.F.S.?

22 THE WITNESS: YES.

23 THE COURT: AND SHE WAS DEALING WITH HER OWN DRUG
24 USE, THE DRUG ISSUES?

25 THE WITNESS: YES.

26 THE COURT: ANYTHING ELSE?

27 THE WITNESS: ABUSE-WISE SHE ALWAYS HAD HER OWN
28 PERSONALITY WHEN SHE WAS UNDER THE INFLUENCE. BUT AS

1 THEM FIGHTING OR ABUSE, THINGS LIKE THAT -- NO.

2 THE COURT: AND HAVE YOU EVER SEEN YOUR BROTHER USE
3 ANY SUBSTANCES?

4 THE WITNESS: NO.

5 THE COURT: NEVER SEEN HIM ANGRY?

6 THE WITNESS: NO.

7 THE COURT: NEVER SEEN HIM CURSING?

8 THE WITNESS: I WORKED WITH HIM FIVE YEARS. EVERY
9 SINGLE DAY ACTUALLY A VERY NICE GUY.

10 THE COURT: I DON'T HAVE ANY OTHER QUESTIONS.

11 MR. KOLODJI: SURE.

12 THE COURT: WHAT'S THE OFFER ON THIS?

13 MR. KOLODJI: I WAS GOING TO ASK HER ABOUT THE --
14 WHEN HE WAS ARRESTED IN JANUARY --

15 THE COURT: OKAY.

16 GO AHEAD.

17 MR. KOLODJI: 2023.

18 THE COURT: GO AHEAD.

19 MR. KOLODJI: DID THE FAMILY RALLY AROUND YOUR
20 BROTHER WHEN HE WAS ARRESTED IN JANUARY OF 2023?

21 THE WITNESS: WHAT WAS JANUARY -- WHAT ARREST WAS
22 THAT ONE?

23 MR. KOLODJI: WELL, LET ME JUST CLARIFY. YOU
24 TESTIFIED THAT SHE FILED -- OR A REPORT WAS FILED ON
25 HIM.

26 DO YOU REMEMBER WHEN THAT HAPPENED?

27 THE WITNESS: LIKE THE DATES, THE TIMES, AND THE
28 YEARS?

1 THE COURT: WE HAVE RESPONDENT'S SISTER TESTIFY
2 THAT PETITIONER, WHO SHE WAS CLOSE TO, MADE STATEMENTS
3 ABOUT HOW YOU'RE GOING DO THINGS WITH D.C.F.S. -- WHICH
4 IS EMBELLISHING INJURIES, I.

5 DON'T KNOW WHAT ELSE -- WHAT'S YOUR BASIS
6 OF THE CROSS TO SHOW WHAT?

7 MR. KOLODJI: I WAS GOING TO ASK HER ABOUT -- WELL,
8 SHE TESTIFIED THAT THE FAMILY RALLIED TOGETHER WHEN HE
9 WAS FACING A CRIMINAL -- HE FACED CRIMINAL CHARGES DUE
10 TO DOMESTIC ABUSE.

11 CORRECT?

12 THE COURT: ARE YOU AWARE THAT YOUR BROTHER WAS
13 FACING CRIMINAL CHARGES?

14 THE WITNESS: I KNOW THAT WHEN SHE CALLED THE
15 POLICE ON HIM, SHE GOT ARRESTED.

16 THAT?

17 MR. KOLODJI: YES.

18 DO YOU REMEMBER WHEN THAT WAS?

19 THE WITNESS: THE DATES -- I'M SORRY, I DIDN'T
20 STUDY FOR THIS. NO.

21 THE COURT: SURE.

22 AND DID HE LOSE HIS BAR LICENSE AS A
23 RESULT OF THAT?

24 THE WITNESS: NO.

25 MR. KOLODJI: HE CURRENTLY HAS A BAR LICENSE?

26 THE WITNESS: AS OF RIGHT NOW, NO. HIS BAR LICENSE
27 IS SUSPENDED.

28 MR. KOLODJI: YOU WORK AT HIS FIRM?

1 THE WITNESS: NO.

2 I'M JUST HIS SISTER.

3 MR. KOLODJI: YOU SAID YOU WORK WITH HIM EVERY DAY?

4 THE WITNESS: WE WORK IN THE SAME BUILDING.

5 MR. KOLODJI: SO YOU HAVE A SEPARATE OFFICE THERE?

6 THE WITNESS: CORRECT.

7 AND WE WORK TOGETHER ON OTHER PROJECTS,
8 BUT I DON'T WORK WITH HIM IN THE LAW FIRM.

9 MR. KOLODJI: OKAY.

10 I'M AT NOT SURE IF SHE HAS MUCH TESTIMONY.

11 THE COURT: YES.

12 BAR LICENSE IS NOT RELEVANT TO THIS
13 PROCEEDING. UNLESS IT'S SOMETHING INVOLVING MORAL
14 TURPITUDE. THERE'S NO EVIDENCE BEFORE THE COURT.

15 MR. KOLODJI: NOTHING FURTHER, YOUR HONOR.

16 THE COURT: DID SHE GIVEN THE TESTIMONY YOU
17 ANTICIPATED?

18 ANYTHING ELSE?

19 MR. SAYEGH: YES.

20 THIS PHOTO HERE -- WHICH I BELIEVE IS
21 MARKED AS R-3.

22 THE COURT: NO.

23 IT'S ALREADY BEEN MARKED AS EXHIBIT F.

24 MR. SAYEGH: SORRY.

25 ///

26 ///

27 ///

28 ///

DIRECT EXAMINATION

5 BY MR. SAYEGH:

6 Q MS. ARKEL, DO YOU RECOGNIZE THE PERSON IN THIS
7 PHOTO?

8 A YES.

9 IT'S NUHA.

10 Q OKAY.

11 AND DO YOU RECOGNIZE ANYTHING UNUSUAL IN THIS
12 PHOTO?

13 A HER LIPS ARE FULL.

14 Q AND WERE YOU THERE AT THE TIME THAT SHE GOT
15 HER LIP -- WHEN YOU SAY, "WAS FULL," WHY DO YOU SAY IT
16 WAS FULL?

17 A WELL, TO ME -- I KNOW THOSE WERE -- WHEN SHE
18 GOT HER LIP INJECTIONS. SO SHE ALWAYS SENDS ME STUFF ON
19 Groupon.

20 THE COURT: WHAT IS YOUR BACKGROUND, TRAINING?
21 WHAT DO YOU FOR A LIVING?

22 MR. SAYEGH: OBJECTION.

23 THE WITNESS: RIGHT NOW I RUN A VENUE SPACE.

24 THE COURT: OKAY.

25 SO SHE'S NOT GOING TO BE ABLE TO GIVE
26 TESTIMONY ABOUT THIS LIP UNLESS SHE WAS PRESENT WHEN
27 THE PHOTO WAS TAKEN --

28 MR. SAYEGH: CAN I --

1 THE COURT: SHE'S NOT GOING TO BE ABLE TO GIVE
2 TESTIMONY --

3 MR. KOLODJI: MOTION TO STRIKE --

4 MR. SAYEGH: CAN I ASK ONE FOLLOW-UP?

5 Q DID SHE TELL YOU SHE GOT LIP INJECTIONS?

6 A YES, SHE IT.

7 Q WHAT DID SHE TELL YOU, IF ANYTHING, ABOUT THIS
8 PHOTOGRAPH?

9 A SHE TOLD ME SHE GOT OF LIP INJECTIONS. SHE
10 TOLD ME ABOUT THE Groupon. I TOLD YOU -- "WHY? YOU
11 HAVE BEAUTIFUL LIPS. WHY ARE YOU GOING TO GET THEM?"
12 SHE SAID --

13 THE COURT: UNDERSTAND MY QUESTION. DID SHE SAY
14 ANYTHING WHEN SHE HAD THIS --

15 THE WITNESS: YES, SHE ASKED --

16 THE COURT: WAIT UNTIL MY QUESTION IS DONE.

17 THE WITNESS: I'M SORRY.

18 THE COURT: WHEN HER LIP LOOKED LIKE THIS, DID IT
19 SHE TELL YOU ANYTHING ABOUT HOW THE LIP BECAME OR HOW
20 THE LIP LOOKED LIKE THIS, WHAT HAPPENED WITH THE LIP?

21 THE WITNESS: SHE ASKED ME IS IT NORMAL FOR HER TO
22 BRUISE WHEN SHE DOES THAT BECAUSE SHE KNOWS THAT I GET
23 BOTOX.

24 THE COURT: MA'AM, YOU CAN STEP DOWN.

25 THANK YOU.

26 YOU CAN STEP DOWN.

27 NOW YOU'RE ON YOUR DIRECT.

28 MR. SAYEGH: WE WERE STILL FINISHING --

1 THE COURT: WHATEVER YOU WANT, SIR. YOU HAVE 15,
2 20 MINUTES TO SHOW WHATEVER YOU WANT -- WHETHER THAT'S
3 YOUR TESTIMONY, WHETHER THAT'S CROSS, WHETHER THAT'S
4 ADDITIONAL EVIDENCE.

5 MR. SAYEGH: NOT FROM HER.

6 THE COURT: MA'AM, YOU CAN STEP DOWN, YOU'RE DONE.

8 NUHA SAYEGH,
9 CALLED ON BEHALF OF THE RESPONDENT, WAS SWORN AND
10 TESTIFIED AS FOLLOWS:

11
12 DIRECT EXAMINATION

13 BY MR. SAYEGH:

14 Q WHEN THE COURT BROKE, WE WERE DISCUSSING THE
15 NOVEMBER 4TH INCIDENT. IN YOUR DECLARATION, YOU STATED
16 THAT THE HEADBUTT CAUSED BLEEDING AND EXTREME SWELLING.

17 IS THAT TRUE?

18 A YES.

19 Q AND THAT YOU STATED IN THE PHOTO IS IDENTIFIED
20 AT 2:59 A.M.

21 CORRECT?

22 A ON THE DECLARATION, YES.

23 I RECEIVED -- I PUT -- THAT WAS FROM 2:30. I
24 REMEMBER I WOKE UP AT 2:30 WITH THROBBING PAIN. THAT'S
25 WHEN THAT HAPPENED -- TWO DAYS BEFORE THAT HAPPENED.

26 Q SO YOUR TESTIMONY WAS ON NOVEMBER 4TH 2023,
27 THIS OCCURRED. AND AT 3:00 A.M., YOU TOOK THE PHOTO THE
28 SAME DAY. IS THAT YOUR DECLARATION?

1 A YEAH.

2 I MISCOUNTED THE DAYS, I'M SORRY.

3 Q OKAY.

4 YOU ALSO TESTIFIED THAT -- OR IN YOUR
5 DECLARATION THAT I HAD PULLED BOTH SIDES OF YOUR HAIR.

6 CORRECT?

7 A UH-HUH.

8 Q NOW IN THESE PHOTOS, YOUR HAIR ISN'T PULLED.

9 CORRECT?

10 A NO.

11 THEY'RE NOT.

12 Q AND IN THIS PHOTO HERE, THERE'S NO BLEEDING
13 FROM ONE HOUR PRIOR?

14 A IT WAS TWO DAYS BEFORE.

15 THE COURT: THE QUESTION IS IN THE PHOTOGRAPH IS
16 THERE BLEEDING. DOES THE PHOTOGRAPH SHOW BLEEDING?

17 THE WITNESS: NO.

18 THE COURT: NEXT QUESTION.

19 Q BY MR. SAYEGH: DO YOU RECALL GIVING A
20 STATEMENT TO LAW ENFORCEMENT REGARDING THE JANUARY 2121
21 EVENT? AND DO YOU RECALL MAKING A STATEMENT TO BOTH THE
22 DISTRICT ATTORNEY AND THE DETECTIVE?

23 A I DON'T REMEMBER TOO MUCH OF THAT.

24 THE COURT: HER STATEMENTS CAN BE USED. SO EVEN
25 THOUGH THE POLICE REPORT IS SHE MADE A STATEMENT -- BUT
26 THE PROBLEM THAT I HAVE IS IS YOU CAN SHOW HER THE
27 REPORT TO REFRESH HER MEMORY. BUT I WOULD NEED TO HAVE
28 THE ACTUAL DEPUTY COME IN AND TELL ME THAT SHE MADE THE

1 STATEMENT.

2 DOES THAT MAKE SENSE?

3 WELL, YOU'RE AN ATTORNEY; SO YOU
4 UNDERSTAND THAT.

5 MR. SAYEGH: IT'S IMPEACHMENT. SHE'S SAYING THAT I
6 DID SOMETHING --

7 THE COURT: NO COMMENTARY. I'M JUST SAYING HOW YOU
8 CAN USE THE POLICE REPORT. YOU CAN USE IT TO REFRESH
9 YOUR MEMORY, BUT UNLESS YOU HAVE THE ACTUAL DEPUTIES TO
10 COME IN AND SAY --

11 MR. SAYEGH: OKAY.

12 THE COURT: YOU CAN PUT IT ON THE SCREEN TO SEE IF
13 IT REFRESHES HER MEMORY.

14 MA'AM, DO YOU REMEMBER SPEAKING TO LAW
15 ENFORCEMENT ABOUT JANUARY 21ST 2021 INCIDENT?

16 MA'AM?

17 THE WITNESS: THE 21?

18 THE COURT: RIGHT.

19 THE WITNESS: I DO I RECALL A LITTLE BIT. LITTLE
20 BIT.

21 THE COURT: SIR, YOU CAN HIGHLIGHT THE STATEMENTS
22 TO SEE IF IT REFRESHES HER MEMORY.

23 MR. SAYEGH: SURE.

24 THE COURT: AND THIS IS RESPONDENT'S --

25 MR. SAYEGH: RESPONDENT'S 4.

26 THE COURT: AND THIS IS THE POLICE REPORT?

27 MR. SAYEGH: IF I HAVE MAY WITH AN OFFER OF PROOF.

28 THE COURT: TELL ME WHAT THE DOCUMENT IS.

1 MR. SAYEGH: THE DOCUMENT IS AN EMAIL THAT I
2 RECEIVED FROM THE DEPUTY DISTRICT ATTORNEY PRIOR TO --
3 THE COURT: EMAIL FROM A D.A. THAT'S GOOD ENOUGH.
4 THAT DESCRIBES WHAT IT IS. THAT'S RESPONDENT'S 4. SO
5 IT'S NOT GOING TO BE ENTERED INTO EVIDENCE, BUT IT CAN
6 BE USED TO REFRESH HER MEMORY.

7 (WHEREUPON, RESPONDENT'S EXHIBIT 4
8 WAS MARKED FOR IDENTIFICATION.)

9 Q BY MR. SAYEGH: DO YOU RECALL TELLING THE
10 DEPUTY D.A. THAT ON THAT EVENING YOU HAD POOR MEMORY AND
11 YOU WERE NOT FEELING WELL AT THE TIME OF THE NECK
12 INJURIES? DO YOU RECALL TELLING THE D.A. THAT?

13 A I DON'T RECALL THAT.

14 Q DO YOU RECALL TELLING THE D.A. AT THAT TIME
15 YOU'RE POSTPARTUM AND SELF-MEDICATE?

16 A I DON'T RECALL THAT.

17 Q DO YOU RECALL TELLING THE D.A. THAT YOU WERE
18 ARGUING WITH ME BECAUSE I SAID YOU WERE A BAD MOTHER?

19 A I REMEMBER THAT.

THE COURT: YOU DO REMEMBER THAT?

21 THE WITNESS: I DO REMEMBER THAT.

22 Q BY MR. SAYEGH: DO YOU REMEMBER SAYING THAT
23 YOU STRUCK ME ON THE CHEST WITH A SWEATER THAT HAD A
24 METAL ZIPPER?

25 A I WAS JUST REMEMBERING THAT NOW.

26 | THE COURT: HOLD ON. HOLD ON.

27 DO YOU REMEMBER TELLING THE DEPUTY THAT
28 YOU HIT HIM WITH A SWEATER WITH A METAL ZIPPER?

1 THE WITNESS: YEAH.

2 I REMEMBER A SWEATERED SHIRT WITH A
3 ZIPPER.

4 Q BY MR. SAYEGH: DO YOU REMEMBER STATING TO THE
5 D.A. AND THE DEPUTY THAT YOU TRIED TO BLOCK -- THAT I
6 TRIED TO BLOCK HER AND THAT IS WHEN I HIT YOU IN THE
7 EYE?

8 A SAY THAT ONE MORE TIME.

9 Q YOU TOLD THE DEPUTY THAT I TRIED TO BLOCK YOU
10 AND THAT IS WHEN I HIT YOU IN YOUR EYE?

11 A NO.

12 Q YOU DON'T RECALL SAYING THAT?

13 A I DON'T RECALL SAYING THAT BEFORE.

14 Q AND THAT YOU TOLD HER IT WAS AN ACCIDENT?

15 A NOW, WAS THIS THE DAY OF, DAY AFTER, OR THE
16 DAY --

17 Q THIS IS A RECORDED CONVERSATION ON 6/23/23
18 WITH THE DEPUTY --

19 A THE REASON WHY --

20 Q -- DETECTIVE LOHMAN AND DEPUTY DISTRICT
21 ATTORNEY ANN KUMAN?

22 A SO THIS IS A COUPLE OF DAYS AFTER THE
23 INCIDENT. CORRECT?

24 Q THIS IS ON 6/23/23 AFTER YOU GOT OUT OF THE
25 REHAB AND SOBERED UP?

26 A OH, AFTER WHEN WE ALL AGREED THAT WE WERE
27 GOING TO PUT MAKEUP ON AND SAY THAT I PUT MAKEUP ON MY
28 FACE SO EVERYTHING WOULD GO AWAY.

1 THE COURT: SO, MA'AM, HE'S ASKING QUESTIONS NOW.
2 SO JUST ANSWER HIS QUESTIONS. SO THIS WAS 6/23/23.

3 SO, SIR, WHEN YOU SAID THIS WAS AN
4 ACCIDENT, CAN YOU REPHRASE SO I KNOW WHAT YOU MEAN
5 WAS AN ACCIDENT?

6 MR. SAYEGH: SURE.

7 Q YOU TOLD -- YOU SAID THAT I TRIED TO BLOCK YOU
8 AND WHEN I DID TRY TO BLOCK YOU, I HIT THE LEFT SIDE OF
9 YOUR EYE AND THAT IT WAS ABSENT?

10 A THIS WAS AFTER REHAB, AFTER MY WHOLE -- AFTER
11 EVERYTHING. THAT'S THE STORY THAT WE HAD TO GO WITH,
12 YES. I DON'T REMEMBER SAYING THAT, THOUGH.

13 Q AND DO YOU THINK THE DETECTIVE OR THE D.A.
14 WERE LYING --

15 THE COURT: SIR, THEY'RE NOT HERE TO TESTIFY.

16 Q BY MR. SAYEGH: OKAY.

17 YOU TESTIFIED -- WELL, YOU SAID TO THEM AND
18 RECALL, THAT A RELATIVE GOT IN YOUR HEAD AND SAID THAT
19 YOU WERE GOING -- THAT I WAS GOING TO TAKE AWAY THE
20 KIDS.

21 IS THAT TRUE?

22 A I DON'T REMEMBER. I DON'T RECALL.

23 Q GOING TO THAT EVENING, DO YOU REMEMBER
24 SPEAKING TO CAMILLIA?

25 A I DO RECALL SPEAKING TO CAMILLIA.

26 Q DO YOU RECALL HER TELLING YOU THAT YOU'RE
27 GOING TO HAVE TO PUT A CASE ON ME AND IN ORDER TO DO SO,
28 YOU'RE GOING TO HAVE TO EMBELLISH THE INJURIES WITH

1 MAKEUP?

2 A NO.

3 Q AND THE RELATIVE TOLD YOU TO BUILD A CASE OR
4 REPORT AGAINST ME. THIS IS WHAT YOU TOLD THE D.A. AND
5 THE DETECTIVE.

6 IS THAT TRUE?

7 A THEY -- MONTHS AFTER EVERYTHING, I DON'T
8 RECALL EVERYTHING I TOLD. ALL I KNOW I WAS TOLD TO SAY
9 A DIFFERENT STORY THAT HAD HAPPENED FROM THAT DAY.

10 Q OKAY.

11 YOU TOLD --

12 OKAY.

13 YOU SAID TO THE D.A. AND THE DETECTIVE, "LIFE
14 HASN'T BEEN THE SAME SINCE THIS HAPPENED." YOU TOLD
15 THEM THAT I AM NOT ABUSIVE.

16 IS THAT TRUE OR NOT?

17 A I DON'T RECALL, BUT I SAID WHATEVER YOU GUYS
18 TOLD ME TO SAY.

19 Q YOU SAID I NEVER ONCE HIT YOU AND PEOPLE WOULD
20 KNOW BY NOW IF I DID.

21 DID YOU TELL THEM THAT?

22 A I DON'T RECALL.

23 Q YOU SAID TO THEM YOU ARE NOW IN A REALLY GOOD
24 PLACE AND HAVE NEVER FELT BETTER AND FEEL SAFE.

25 DID YOU TELL THEM THAT?

26 A I DON'T RECALL.

27 Q OKAY.

28 DID YOU TELL THEM AS -- THAT YOU HAVE DONE SIX

1 MONTHS OF REHAB AND SOBER LIVING?

2 A I PROBABLY DID.

3 Q AND THE KIDS LIVE WITH ME NOW; YOU'RE ALLOWED
4 TO PICK THEM UP AND DO OVERNIGHTS --

5 OKAY.

6 HERE WE GO.

7 AFTER THEY HAD WRAPPED UP AND SAID OUR
8 GOODBYES, YOU MENTIONED THAT YOU USED MAKEUP AT THE
9 TIME. DID YOU TELL THEM THAT?

10 A I TOLD THEM WHAT YOU AND MY MOTHER TOLD ME TO
11 SAY AFTER I GOT OUT OF REHAB, AFTER I GOT --

12 Q SO --

13 THE COURT: LET HER FINISH THE QUESTION.

14 THE WITNESS: SO EVERYONE CAN CALM DOWN.

15 THE COURT: SO YOUR TESTIMONY IS YOU MADE THESE
16 STATEMENTS. BUT YOU YOUR TESTIMONY IS YOU MADE THESE
17 STATEMENTS BECAUSE THE RESPONDENT AND YOUR MOTHER TOLD
18 YOU TO MAKE THESE STATEMENTS? DO YOU I HAVE THIS RIGHT?

19 THE WITNESS: YES.

20 THE COURT: OKAY.

21 YOUR MOTHER IS NOT HERE. IS SHE IN THE
22 AUDIENCE?

23 THE WITNESS: NO.

24 MY MOTHER --

25 THE COURT: OKAY.

26 THAT'S ENOUGH.

27 Q BY MR. SAYEGH: GOING TO THE PHOTOS --

28 MR. KOLODJI: SHOULD I DO FOLLOW-UP QUESTIONS

1 REGARDING THE --

2 THE COURT: WELL, FIRST, BECAUSE I DIRECTED, I WANT
3 TO GET TO WHAT I THINK IS THE MOST RELEVANT PORTIONS
4 WHICH ARE THE PHOTOGRAPHS. I WANT TO GIVE THE
5 RESPONDENT AN OPPORTUNITY TO PRESENT HIS EVIDENCE. SO
6 HE'S STILL ON HIS PORTION.

7 Q BY MR. SAYEGH: GOING BACK TO THE 21ST, ISN'T
8 IT TRUE THAT I HAVE WALKED OUTSIDE AND SAW YOU SMOKING
9 FENTANYL IN THE BACKYARD?

10 A YES OR NO?

11 A NO.

12 Q AND THIS IS WHY I TOLD YOU THAT -- I PUT YOU
13 IN THREE REHABS AND NOW I'M GOING TO TAKE THE KIDS. YES
14 OR NO?

15 A NO.

16 Q ISN'T IT TRUE YOU HAD FAILED A REHAB DRUG TEST
17 FOR FENTANYL, CRACK COCAINE, AND FENTANYL SIX MONTHS
18 PRIOR TO THIS DATE?

19 A I ABSOLUTELY SAY YES, I DID. NOT CRACK
20 COCAINE, SMOKING FENTANYL -- NONE OF THAT.

21 Q SO THE TESTS THAT CAME BACK POSITIVE FROM THE
22 REHAB, YOU'RE SAYING THAT THAT'S NOT TRUE?

23 A IT WASN'T REHAB. IT WAS A DETOX CENTER THAT I
24 HAD ADMITTED MYSELF INTO --

25 Q THE COURT: ONE AT A TIME.

26 Q SIR, SHE'S ADMITTED TO HAVING A DRUG
27 ISSUE. WELL, SIR, SHE ADMITTED BEFORE YOU EVEN
28 ASKED THE QUESTION. SO I DON'T NEED OTHER EVIDENCE

1 THAT SHE HAD A DRUG PROBLEM OR SHE TESTED POSITIVE
2 FOR DRUGS BACK IN 2021.

3 Q BY MR. SAYEGH: ISN'T IT TRUE I SAID, "YOU'RE
4 A BAD MOTHER," THAT DAY, "AND I'M GOING TO TAKE THE
5 KIDS." AND THAT'S WHY I SAID YOU ARE A BAD MOTHER?

6 A I DON'T RECALL.

7 BUT POSSIBLY.

8 Q OKAY.

9 AND THEN WHEN I SAID, "I'M GOING TAKE THE
10 KIDS," YOU SWANG THE SWEATER THAT HAD A ZIPPER AND CUT
11 ME ON MY CHEST?

12 A I DON'T RECALL CUTTING YOU ON THE CHEST.

13 I REMEMBER JUST A LITTLE ZIPPER.

14 Q ISN'T IT TRUE YOU WERE HIGHLY INTOXICATED THAT
15 EVENING?

16 A I DON'T RECALL.

17 Q ISN'T IT ALSO TRUE THAT I WENT INTO THE
18 BEDROOM OF THE KIDS, I WAS ON ONE KNEE PACKING THE KIDS,
19 AND YOU PICKED UP THE PLASTIC TABLE AND LIFTED IT UP AT
20 ME?

21 A I FLIPPED IT WHEN I CAME IN.

22 Q YOU LIFTED IT UP AT ME. YES OR NO?

23 A I DON'T KNOW.

24 Q AND I GOT UP TO BLOCK THE TABLE?

25 A POSSIBLY.

26 Q AND THAT'S WHEN I STRUCK YOU IN THE EYE?

27 A I DON'T RECALL.

28 Q AND AT THAT POINT, YOU WENT INTO THE BEDROOM

1 AND CALLED CAMILLIA. AND THE NEXT MORNING, 24 HOURS
2 LATER, THE COPS SHOWED UP.

3 CORRECT?

4 A CORRECT.

5 Q AND THEN AT THE TIME, THEY HAD BROUGHT AN
6 E.M.T. TO CHECK YOU, AND YOU REFUSED TO ALLOW THEM TO
7 GET NEXT TO YOU -- THE MEDICAL STAFF?

8 ISN'T THAT TRUE?

9 A I DON'T RECALL.

10 Q ISN'T IT ALSO TRUE THAT THE PHOTOS THAT YOU
11 PRESENTED WERE NOT FROM LAW ENFORCE. THEY WERE ACTUALLY
12 FROM YOUR CELLPHONE?

13 A I DON'T RECALL.

14 Q AND ISN'T IT ALSO TRUE IN YOUR DECLARATION
15 THERE'S MULTIPLE PHOTOS -- AND YOU CAN SEE -- I'M
16 PULLING THAT UP RIGHT NOW. IN THE PHOTOS, YOU WILL SEE
17 AT THE BOTTOM MULTIPLE PHOTOS WILL SHOW --

18 LET ME USE THIS REAL QUICK.

19 MR. KOLODJI: SURE.

20 Q BY MR. SAYEGH: THIS HERE IN YOUR PHONE --
21 THESE PHOTOS HERE ARE MULTIPLES WHERE YOU ARE PRACTICING
22 DIFFERENT MAKEUP DESIGNS AND TAKING DIFFERENT PHOTO
23 SHOTS.

24 ISN'T BE THAT TRUE?

25 A NO.

26 Q NOW, I'M GOING GO TO YOUR PHOTOS OF THAT
27 EVENING.

28 ISN'T THIS TRUE, THESE ARE ACTUALLY SWEAT

1 MARKS BECAUSE THIS PHOTO WAS TAKEN ABOUT AN HOUR
2 AFTERWARDS?

3 A AN HOUR AFTERWARDS --

4 THE COURT: THE QUESTION IS ARE THESE SWEAT MARKS
5 THAT LOOKS LIKE BRUISING AROUND THE RIGHT -- EYE HE'S
6 ASKING IF THEY'RE SWEAT MARKS.

7 THE WITNESS: NO.

8 THE COURT: OKAY.

9 Q BY MR. SAYEGH: THIS HERE IS ALSO MAKEUP --

10 THE COURT: SIR --

11 Q BY MR. SAYEGH: I'M ASKING ISN'T IT TRUE THIS
12 IS A CONCEALER MAKEUP THAT YOU USED TO HELP EMBELLISH
13 THESE INJURIES?

14 A NO.

15 Q THIS IS A PHOTO OF THAT SAME DAY?

16 A I DON'T KNOW.

17 Q ANY SWELLING THAT WOULD CAUSE SUCH A BLACK
18 EYE?

19 A IT LOOKS LIKE A --

20 THE COURT: DID YOU USE CONCEALER OR ANY OTHER
21 MAKEUP TO ENHANCE OR EMBELLISH THE INJURIES?

22 THE WITNESS: NO, I DID NOT.

23 Q BY MR. SAYEGH: DID YOU TELL POLICE OFFICERS
24 THAT YOU DID?

25 A YES, I DID.

26 Q AND IN THIS PHOTO HERE, WHICH IS ALSO THE SAME
27 EYE --

28 IF THE COURT WOULD SEE IT ACTUALLY IN PERSON,

1 IT'S A DIFFERENT SHADE.

2 OKAY.

3 THE COURT: I DON'T KNOW WHAT YOU MEAN IT'S A
4 DIFFERENT SHADE. YOU CAN SHOW ME AN EXHIBIT AND MAKE
5 THE ARGUMENT WHEN ALL THE EVIDENCE IS IN.

6 MR. KOLODJI: I'M GOING TO OBJECT TO THIS
7 DEMONSTRATIVE.

8 THE COURT: WELL, DEMONSTRATIVE -- WHAT WERE YOU
9 TRYING TO SHOW? I MEAN IT'S NOT --

10 MR. SAYEGH: SURE.

11 I WANTED THE COURT TO SEE BECAUSE I
12 PRESENTED AN EXPERT WHO'S A MAKEUP SPECIALIST.

13 THE COURT: IS THAT PERSON HERE?

14 MR. SAYEGH: NO.

15 THE COURT: SO YOU HAVE --

16 MR. SAYEGH: I HAVE DEMONSTRATIVE EVIDENCE OF WHAT
17 REAL BLACK EYES OR WHAT --

18 THE COURT: STOP.

19 THAT'S OUT.

20 Q BY MR. SAYEGH: NOW, MS. SAYEGH, GOING TO THIS
21 PHOTO -- OKAY -- ISN'T IT TRUE THAT THIS IS 100 PERCENT
22 MAKEUP?

23 A NO.

24 Q NO.

25 AND HOW LONG AFTER THIS ALLEGED -- HOW LONG
26 AFTER DID YOU TAKE THIS PHOTOGRAPH?

27 A I DON'T RECALL.

28 Q THE POLICE OFFICER DID NOT MAKE THIS

1 PHOTOGRAPH. CORRECT?

2 A I DON'T RECALL. I DON'T KNOW.

3 Q YOU DON'T RECALL HOW LONG AFTER?

4 A I'M SORRY, I DON'T.

5 I WISH I DID.

6 Q DO YOU HAVE THE THUMB MARK SIDE WHERE THE
7 INJURY WOULD HAVE OCCURRED -- THE PRESSURE FROM THE
8 THUMB MARKS.

9 DO YOU RECALL GOING TO YOUR SISTER'S
10 BACHELORETTE PARTY ON SEPTEMBER 21ST OF THAT SAME YEAR?
11 DO YOU RECALL TWO DAYS LATER GOING TO A BACHELORETTE
12 PARTY IN PALM SPRINGS?

13 A TWO DAYS LATER OF THAT INCIDENT?

14 Q TWO DAYS AFTER THIS INCIDENT, DO YOU RECALL
15 GOING TO A -- HAVING A BACHELORETTE PARTY AT PALM
16 SPRINGS -- AT THE PALM SPRINGS HOTEL?

17 THE COURT: OFFER OF PROOF?

18 MR. SAYEGH: THE OFFER OF PROOF THERE'S GOING TO BE
19 PHOTOGRAPHS SHOWING ABSOLUTELY NO INJURIES THAT EXIST.
20 THIS IS --

21 THE COURT: HOLD ON.

22 THE DATE THIS BACHELORETTE PARTY IS WHEN?

23 MR. SAYEGH: THE 21ST OF JANUARY.

24 THE COURT: JANUARY 21ST OF WHAT YEAR?

25 MR. SAYEGH: 2021.

26 THE COURT: 2021.

27 OKAY.

28 DID YOU GO TO A BACHELORETTE PARTY OR ANY

1 TYPE OF PARTY ON JANUARY 21ST, 2021?

2 THE WITNESS: I DON'T RECALL.

3 THE COURT: THERE'S EVIDENCE BEFORE THE COURT SHE
4 HAD DRUG ISSUES IN 2021, '22. SHE WAS IN REHAB.

5 SO ANYTHING ELSE? YOU HAVE ABOUT FIVE
6 MORE MINUTES.

7 MR. SAYEGH: YEAH, WHAT I HAVE --

8 THE COURT: SIR, WERE YOU AT THIS PARTY? CAN YOU
9 LAY THE FOUNDATION?

10 MR. SAYEGH: NO, BECAUSE --

11 THE COURT: SO THE ANSWER IS NO. PUT THE PHOTO ON
12 THE OVERHEAD AND SEE IF SHE CAN LAY THE FOUNDATION.

13 THE FIRST QUESTION IS DO YOU RECOGNIZE
14 THIS PHOTOGRAPH? IS THIS YOU? IT LOOKS LIKE YOU.

15 THE WITNESS: IT LOOKS LIKE ME.

16 THE COURT: DO YOU KNOW WHEN THIS PHOTOGRAPH WAS
17 TAKEN?

18 THE WITNESS: NO, I DON'T.

19 Q BY MR. SAYEGH: DO YOU RECOGNIZE THIS PHOTO?

20 A YES.

21 Q WHEN WAS THIS?

22 A THAT'S THE BACHELORETTE PARTY, MY SISTER'S
23 LUNCH.

24 Q YOUR SISTER'S BACHELORETTE PARTY?

25 A IT WAS ONE OF THE TIMES WE WENT TO LUNCH.

26 Q THIS IS THE SAME PHOTO, JUST A DIFFERENT
27 ANGLE?

28 A UH-HUH.

1 Q TRUE OR NO?

2 A YES.

3 Q THIS IS A CLOSEUP OF THAT PHOTO?

4 A OKAY.

5 Q AND THIS IS TWO DAYS AFTER THESE INJURIES?

6 A TWO DAYS?

7 Q TWO DAYS.

8 THAT'S EXACTLY WHEN THE BACHELORETTE PARTY WAS
9 JANUARY 21ST -- BACHELORETTE PARTY?

10 THE COURT: THE QUESTION IS?

11 Q BY MR. SAYEGH: IS THIS A PHOTOGRAPH OF YOU AT
12 THE BACHELORETTE PARTY?

13 A IT WASN'T TWO DAYS AFTER THAT.

14 THE COURT: SO THE QUESTION IS IS THE PHOTOGRAPH OF
15 YOU AFTER THE --

16 THE WITNESS: YES, IT WAS.

17 THE COURT: NEXT QUESTION.

18 Q BY MR. SAYEGH: AND THIS HERE IS ANOTHER
19 VERSION OF THIS AT THE BACHELORETTE PARTY, DOCUMENTED IN
20 PALM SPRINGS, TWO DAYS LATER?

21 A IT WASN'T TWO DAYS LATER. IT WAS LIKE A
22 MONTH -- TWO MONTHS AFTER.

23 THE COURT: SO SHE'S CORRECT YOU CAN'T GIVE YOUR
24 COMMENTARY AND TESTIFY. BUT THAT'S A PICTURE OF YOU AT
25 THE PARTY?

26 THE WITNESS: YES.

27 THE COURT: OKAY.

28 ANYTHING ELSE. SIR?

1 Q BY MR. SAYEGH: SO IT'S YOUR TESTIMONY NOW
2 THAT HE DIDN'T HAVE A BACHELORETTE PARTY ON JANUARY 21
3 OF 2022, THAT YOU WERE AT THERE?

4 A YEAH, I WAS THERE.

5 Q DO YOU SEE ANY OF THOSE INJURIES THAT YOU HAD
6 JUST TWO DAYS LATER -- BEFORE?

7 THE COURT: SO HER ANSWER IS IT WASN'T TWO DAYS
8 BEFORE.

9 BUT DO YOU SEE ANY INJURIES --

10 THE WITNESS: NO, I DON'T.

11 THE COURT: DO YOU SEE ANY OF THE INJURIES THAT YOU
12 TESTIFIED.

13 THE WITNESS: NO.

14 MR. SAYEGH: MAY I GO BACK TO THIS --

15 THE COURT: YOU HAVE TWO MINUTES.

16 MR. SAYEGH: AND THAT WILL INCLUDE MY DIRECT?

17 THE COURT: IT'S CUMULATIVE. WHAT ELSE? WHAT ELSE
18 DO YOU HAVE?

19 MR. SAYEGH: I HAVE A LOT ON MY DIRECT IF I MAY.

20 THE COURT: OF YOUR TESTIMONY? YOU DON'T HAVE A
21 LOT, SIR. WHAT DO YOU HAVE? I UNDERSTAND YOUR POSITION
22 IS YOU'VE NEVER HIT HER EXCEPT ONE TIME EXCELLENTLY WHEN
23 FLIPPED THE TABLE; THAT MAYBE YOU CALLED HER A BAD
24 MOTHER ONCE WHEN SHE WAS IN REHAB; THAT YOU HAVE NO
25 RECOLLECTION OF THE WINDSHIELD; THAT YOU WEREN'T EVEN IN
26 THE SAME ROOM WHEN SHE TESTIFIED THAT YOU KICKED HER AND
27 GAVE HER A BLACK EYE. I HAVE YOUR TESTIMONY. WHAT
28 ELSE? I HAVE YOUR SISTER GIVE TESTIMONY --

1 MR. SAYEGH: I HAVE --

2 THE COURT: HOLD ON, SIR.

3 I HAVE YOUR SISTER GIVE TESTIMONY H THAT
4 SHE HEARD THE PETITIONER MENTIONING EMBELLISHING
5 INJURIES TO GIVE A REPORT TO D.C.F.S. I HAVE
6 TESTIMONY THAT SHE HAD DRUG ISSUES. I HAVE THAT
7 TESTIMONY.

8 DO YOU HAVE SOMETHING NEW? WHAT ELSE DO
9 YOU HAVE THAT'S NEW?

10 MR. SAYEGH: I HAVE MY THAT --

11 SHE TOLD MY CHILDREN TO LIE.

12 THE COURT: WHAT EVIDENCE DO YOU HAVE OF THAT?

13 MR. SAYEGH: THAT THE KID MADE ON THEIR OWN.

14 THE COURT: HEARSAY.

15 WHAT ELSE DO YOU HAVE?

16 MR. SAYEGH: I HAVE DOCUMENTATION THAT SHE LIED
17 ABOUT HAVING CANCER, TO ME, OVER THE LAST YEAR IN ORDER
18 TO EXTORT AND EXTRACT FUNDS AND THINGS.

19 THE COURT: SO YOU HAVE CHARACTER EVIDENCE THAT SHE
20 WAS DISHONEST IN THE PAST.

21 MR. SAYEGH: WHAT OCCURRED --

22 THE COURT: WHAT ELSE DO YOU HAVE, SIR?

23 MR. SAYEGH: I HAVE --

24 OKAY.

25 SHE CALLS THE POLICE ON SEPTEMBER 8TH.

26 OKAY?

27 SHE SAID THAT I KIDNAPPED THE KIDS. THAT
28 MORNING SHE HAD SENT OUT THIS --

1 THE COURT: WE'LL GET TO THE CUSTODY VISITATION
2 PORTION. WE'RE GOING TO GET TO THE CUSTODY AND
3 VISITATION PORTION. WE'RE NOW ON THE ABUSE PORTION.

4 I HAVE HER TESTIMONY. I HAVE YOUR
5 TESTIMONY. I HAVE PHOTOGRAPHS OF DEPICTED INJURIES.
6 I HAVE YOUR TESTIMONY EXPLAINING -- OR YOUR VERSION
7 OF HOW I SHOULD VIEW THESE EXHIBITS.

8 ANYTHING ELSE REGARDING THE ABUSE, AND
9 THEN WE'LL GET TO CUSTODY AND VISITATION.

10 MR. SAYEGH: THE IMPORTANCE IS SHE'S LIED.

11 THE COURT: I'LL MAKE A DECISION AS TO WHO IS LYING
12 AND WHO'S NOT.

13 MR. SAYEGH: NO.

14 THE IMPORTANT THING IS SHE'S CALLED THE
15 POLICE MULTIPLE TIMES, AND IT'S FALSE.

16 THE COURT: ANYTHING ELSE ABOUT THE ALLEGED ABUSE?
17 THAT, SIR, IS WHAT I NEED TO MAKE A DECISION ON.

18 NOW I THINK I HAVE THE EVIDENCE I NEED
19 FROM THE PETITIONER AND FROM YOU ON THESE ALLEGED
20 INCIDENTS OF ABUSE.

21 MR. SAYEGH: YOUR HONOR, ON AUGUST 26TH, I HAVE
22 LOTS OF DOCUMENTATION I ESTABLISHING EXACTLY WHERE I
23 WAS. AND IT WAS MATHEMATICALLY IMPOSSIBLE FOR ME TO BE
24 THERE.

25 THE COURT: WHAT ABOUT JUNE 8TH?

26 MR. SAYEGH: WHAT'S THAT?

27 THE COURT: JUNE 8TH?

28 WHAT ABOUT NOVEMBER 2023.

1 MR. SAYEGH: SO ON JUNE 8TH, SHE HAD THE EYE --

2 THE COURT: AND THE PHOTOGRAPHS FROM 2021.

3 MR. SAYEGH: SURE.

4 ON JUNE 8TH, SHE TEXTED ME THAT SHE HAD
5 THIS MEDICAL ISSUE -- AND IT WAS NOT REAL -- ON THE
6 LIP. SHE SAID IT WAS A MEDICAL ISSUE. ON THE LIP,
7 SHE SAYS THAT SHE WAS BLEEDING. JUST AN HOUR AGO --
8 AND YOU COULD TELL IT'S A PERFECT SYMMETRICAL LIPS
9 THAT DON'T EXIST.

10 THE COURT: YOU HAVE OTHER EVIDENCE SHOWING YOU
11 WEREN'T THERE AUGUST 26TH --

12 MR. SAYEGH: AND --

13 THE COURT: SIR SLOW DOWN.

14 AND THAT EVIDENCE IS THE TEXT MESSAGES
15 THAT I'VE ALREADY SEEN.

16 MR. SAYEGH: NO.

17 I HAVE PHYSICAL DOCUMENTATION. I HAVE
18 WHERE I'M AT. I'M ON TV THAT DAY. I HAVE AN ENTIRE
19 DOCUMENTATION. I CAN JUST GO REALLY QUICK.

20 THE COURT: GO THROUGH THAT, AND THAT WILL WRAP IT
21 UP.

22 THAT WOULD BE EVIDENCE THAT YOU WERE NOT
23 HOME ON AUGUST 26TH WHEN YOU GOT INTO A FIGHT WITH
24 HER AT THE HOUSE.

25 CORRECT?

26 MR. SAYEGH: YES.

27 THE COURT: WHAT ELSE OF EVIDENCE DO YOU HAVE --

28 MR. SAYEGH: MIA'S SCHOOL ATTENDANCE WHERE ON

1 AUGUST 26TH, SHE WAS AT SCHOOL. AND THAT'S WHY I WAS
2 TRYING TO ASK MRS. SAYEGH AT WHAT TIME SHE GOT TO THE
3 HOME.

4 OKAY?

5 AND WE ALSO HAVE IS MYSELF --

6 AND SO IF I CAN JUST FIND OUT WHAT TIME
7 SHE GOT --

8 THE COURT: SIR --

9 MR. SAYEGH: HERE IS --

10 THE COURT: YOU TOLD ME YOU TO HAVE EVIDENCE TO
11 SHOW YOU WERE NOT IN THE VICINITY.

12 MR. SAYEGH: HERE'S AN ARCO RECEIPT AND ANOTHER
13 HOME DEPOT RECEIPT FROM AUGUST 26TH. HERE I AM AT
14 GROCERY OUTLET PURCHASING THE GROCERIES FOR THE TOWN
15 HALL THAT I DO EVERY TUESDAY. HERE IS A DECLARATION
16 FROM THE HOUSEKEEPER WHO SAYS --

17 THE COURT: THAT'S OUT. DECLARATION IS OUT.

18 MR. SAYEGH: HERE IS THE REBUILDING WORKSHOP THAT I
19 DO ON A LIVE STREAM AT A LAW FIRM AUGUST 26TH. THIS IS
20 THE TIME IT IS AT. THIS IS ME ON THE LIVE STREAM
21 HANDLING THE WORKSHOP. THAT WORKSHOP REQUIRES ME TO BE
22 AT THE LAW FIRM SET UP ALL THE CHAIRS, SET UP ALL THE
23 FOOD, AND CONDUCT -- I HAVE MULTIPLE CONTRACTORS AND
24 THINGS OF THAT NATURE. I HAVE -- WAS NOT AT THE HOME IN
25 ALTADENA ON THE 26TH.

26 THE COURT: ANYTHING ELSE, SIR? YOU HAVE THESE
27 EXHIBITS. YOU HAVE EXHIBITS SHOWING YOU MADE PURCHASES
28 AT CERTAIN STORES. THIS IS YOUR EVIDENCE THAT YOU WERE

1 NOT HOME AT ALL DURING --

2 MR. SAYEGH: YEAH. I WAS ON A LIVE STREAM.

3 THE COURT: ANYTHING ELSE FROM THE PETITIONER?

4 MR. KOLODJI: YOUR HONOR, I WOULD LIKE TO POINT OUT
5 WHAT HE JUST SHOWED US, THE LIVE STREAM AT 5:52 P.M.

6 THE COURT: SIR, IT'S NOT EVIDENCE --

7 MR. KOLODJI: THE INCIDENT ALLEGEDLY OCCURRED --

8 THE COURT: IT WAS NOT EVIDENCE THAT HE WASN'T HOME
9 AT ALL DURING AUGUST 26 OTHER THAN HIS TESTIMONY.

10 MR. SAYEGH: BUT I --

11 THE COURT: ANYTHING ELSE FROM THE PETITIONER?

12 MR. KOLODJI: YES, YOUR HONOR.

13 I JUST WANT TO DRAW THE COURT'S ATTENTION
14 TO THE SECOND PAGE OF HIS EXHIBIT 1 AND HAVE MY
15 CLIENT, IN HER SUPPLEMENTAL DECLARATION, EXPRESS
16 WHAT THE DETECTIVE SAID OCCURRED THAT DAY AND THE
17 D.A. EXPRESSED -- PUT IN THAT EMAIL --

18 THE COURT: THAT'S NOT EVIDENCE. THOSE -- THE D.A.
19 AND POLICE OFFICERS -- THEY DID NOT COME TO COURT TO
20 TESTIFY. THE ONLY THING IN EVIDENCE IS HER -- OR HER
21 ANSWERS.

22 MR. KOLODJI: WHAT I'M JUST POINTING OUT, YOUR
23 HONOR, IN THE SUPPLEMENTAL DECLARATION HER RECOLLECTION
24 OF WHAT ACTUALLY OCCURRED LINES UP WITH WHAT DEPUTY
25 REYES WROTE HERE -- WAS PRESENTED AS BEING WHAT DEPUTY
26 REYES TOLD THE D.A. THAT THE --

27 THE COURT: THAT'S HEARSAY. ALL OF THAT IS OUT.

28 MR. KOLODJI: I JUST WANTED TO --

1 THE COURT: NOTHING THAT THE D.A. WROTE, NOTHING
2 THAT THE POLICE OFFICERS WROTE IS ACTUALLY IN EVIDENCE.

3 OKAY.

4 SUBMITTED BOTH SIDES.

5 I HAVE -- JUST SO WE HAVE A RECORD -- ALL
6 OF THE EXHIBITS THAT HAVE BEEN SHOWN BY THE PARTIES
7 ON BOTH SIDES WILL BE ADMITTED EXCEPT I THINK THERE
8 WAS R-4 -- EXCEPT THE EMAILS FROM THE D.A.'S OFFICE.
9 BUT ALL THE OTHER TEXT MESSAGES AND PHOTOGRAPHS ARE
10 GOING TO BE ADMITTED.

11 THE ISSUE IS WHETHER OR NOT THE PETITIONER
12 HAS SHOWN THAT BY PREPONDERANCE OF THE EVIDENCE THAT
13 IT IS MORE LIKELY THAN NOT THAT THE RESPONDENT
14 INFILCTED THOSE INJURIES ON HER FACE. AND
15 BASICALLY, THIS COMES DOWN TO CREDIBILITY.

16 I FIND THE PETITIONER CREDIBLE, I FIND THE
17 RESPONDENT'S SISTER CREDIBLE. I DON'T FIND THE
18 RESPONDENT CREDIBLE. THE PETITIONER -- SHE GIVES
19 DETAILS OF THE EVENTS. THE PETITIONER EVEN GIVES
20 STATEMENTS, NOT EVEN UNDER CROSS THAT HER
21 CREDIBILITY -- SHE GIVES STATEMENTS THAT SHE WAS
22 DEALING WITH DRUGS; SHE GIVES STATEMENTS THAT
23 D.C.F.S. HAD TO COME INSIDE OR INTERVENE TO TAKE
24 CARE OF KIDS. SO SHE DOESN'T JUST GIVE SELF-SERVING
25 TESTIMONY. AND HER TESTIMONY ON THE INCIDENTS ARE
26 VERY SPECIFIC AND VERY DETAILED.

27 THE RESPONDENT ON THE OTHER HAND, DOES NOT
28 GIVE DETAILS; AND THERE'S NO TESTIMONY THAT THE

1 RESPONDENT GIVES WHICH INCULPATES HIM AT ALL. IF I
2 WERE TO BELIEVE THE RESPONDENT, HE HAS NEVER LAID A
3 HAND ON THE PETITIONER EXCEPT MAYBE ONCE ON
4 ACCIDENT. I DON'T THINK THAT'S LIKELY TRUE. IF I
5 BELIEVE THE RESPONDENT, HE'S NEVER LOST HIS TEMPER.
6 HE MAY HAVE CALLED THE PETITIONER BAD MOTHER ONCE
7 BECAUSE SHE'S DEALING WITH DRUGS. I DON'T THINK
8 THAT'S LIKELY TRUE. I WASN'T THERE. I DON'T KNOW
9 BEYOND A REASONABLE DOUBT WHAT'S HAPPENED BETWEEN
10 THE PARTIES. BUT YOU THE BURDEN IN THIS CASE IS
11 WHAT'S MORE LIKELY TRUE THAN NOT TRUE.

12 SO I HAVE THE PETITIONER GIVING TESTIMONY.
13 I HAVE THE RESPONDENT GIVING TESTIMONY. I HAVE
14 EVIDENCE THAT THE PETITIONER WAS USING DRUGS TO SUCH
15 AN EXTENT THAT SHE HAD TO GO UNDER REHAB. SO HER
16 CREDIBILITY -- THERE MAY BE ISSUES WITH HER
17 CREDIBILITY. BUT I DON'T JUST HAVE THE TESTIMONY.
18 I HAVE PHOTOGRAPHS THAT DEPICT INJURIES. WHAT'S
19 MORE LIKELY TRUE THAT THOSE INJURIES ARE CONSISTENT
20 WITH PETITIONER'S TESTIMONY.

21 THE RESPONDENT WILL HAVE YOU TO BELIEVE
22 THAT'S CONCEALER MAKEUP; THAT'S A LIP INJECTION;
23 THAT -- I WOULD HAVE TO HAVE A LEAP TO BELIEVE THAT.
24 I THINK MORE LIKELY TRUE THAN NOT TRUE IS WHAT THE
25 PETITIONER SAID BECAUSE IT'S CONSISTENT WITH THE
26 PETITIONER.

27 THERE'S A PHOTOGRAPH OF A BROKEN
28 WINDSHIELD. THE PETITIONER GIVES DETAILS ABOUT THE

1 BROKEN WINDSHIELD. THE RESPONDENT BRUSHES OVER IT.
2 HE DOESN'T SAY, "IT'S NOT MY CAR. HE DOESN'T SAY,
3 "IT DIDN'T HAPPEN, JUST BRUSHES OVER IT.

4 SO FOR CREDIBILITY, THE PETITIONER -- I
5 BELIEVE THE RESPONDENT'S SISTER. I BELIEVE
6 RESPONDENT'S SISTER SHE'S MADE UP OR SHE'S
7 EMBELLISHED -- PROBABLY TRUE, PROBABLY LIKELY WHEN
8 SHE'S TALKING TO D.C.F.S. BUT SHE'S EMBELLISHING AN
9 INJURY THAT THE RESPONDENT GAVE HER; THAT RESPONDENT
10 INFLECTED AN INJURY, AND MAYBE SHE WENT ON TO
11 D.C.F.S. TO MAKE IT MORE PRONOUNCED. BUT I DON'T
12 BELIEVE THAT THE PETITIONER JUST TOOK A FACE WITH NO
13 INJURY AT ALL AND CREATED PICTURES OF INJURIES.

14 SO I FIND THAT THE PETITIONER HAS
15 ESTABLISHED BY THE PREPONDERANCE OF THE EVIDENCE
16 MORE LIKELY TRUE THAN NOT TRUE, THAT THE RESPONDENT
17 HAS BEEN PHYSICALLY ABUSIVE. BUT THERE'S EVIDENCE
18 THAT PETITIONER HAS SUFFERED OR HAS HAD DRUG ISSUES.

19 SO NOW WE GET TO CUSTODY AND VISITATION.
20 I DON'T KNOW WHAT THE CURRENT SITUATION IS WITH THE
21 MINORS. I DON'T KNOW WHAT CURRENT ARRANGEMENT IS
22 WITH THE MINORS, WHERE THE MINOR IS STAYING. I
23 DON'T KNOW THAT THE PETITIONER IS STILL DEALING WITH
24 THOSE DRUG ISSUES.

25 SO LET ME HEAR FROM THE RESPONDENT. WHAT
26 HAS BEEN THE CURRENT ARRANGEMENT -- OR WHAT IS THE
27 CURRENT ARRANGEMENT WITH THE CHILDREN? YOU STATED
28 IN YOUR DECLARATION YOU HADN'T SEEN THE CHILDREN.

1 I'M HOPING I READ THIS WRONG -- THAT YOU HADN'T SEEN
2 THEM SINCE JANUARY 8TH.

3 MR. SAYEGH: NO, NOT JANUARY 8TH. SEPTEMBER.

4 BUT I WAS ABLE TO TRACK THE CHILD DOWN
5 ONCE AT ELLIOT.

6 THE COURT: WHEN WAS THE LAST TIME YOU SEEN YOUR
7 CHILDREN?

8 MR. SAYEGH: I SAW THE CHILD ONCE.

9 THE COURT: WHEN YOU SAY, "THE CHILD," THERE'S TWO.

10 MR. SAYEGH: SO I FOUND MIA -- I'VE BEEN ABOUT A
11 MONTH TRYING TO TRACK THE KIDS DOWN. SHE HAD REMOVED
12 THEM OUT OF THE SCHOOL. I FOUND HER --

13 THE COURT: SIR, SIMPLE QUESTION. WHEN WAS THE
14 LAST TIME YOU SEEN YOUR CHILDREN?

15 MR. SAYEGH: I HAVEN'T SEEN THEM IN TWO WEEKS. AND
16 THEN PRIOR TO THAT, A MONTH. SO I'VE ONLY IN SEEN THEM
17 ONE TIME WHEN I FOUND THEM ONCE THIS ENTIRE TIME.

18 THE COURT: OKAY.

19 MR. SAYEGH: AND SHE BLOCKED THE PHONES TO CALL.

20 THE COURT: SIR, I GOT THAT. THAT WAS IN YOUR
21 DECLARATION.

22 SO YOU HAVEN'T SEEN YOUR CHILDREN. YOU
23 SAW THEM TWO WEEKS AGO AND BEFORE THAT YOU HADN'T
24 SEEN THEM FOR OVER A MONTH?

25 MR. SAYEGH: YEAH.

26 AND I --

27 THE COURT: SO THAT TAKES US TO SEPTEMBER.

28 FROM JANUARY TO SEPTEMBER -- WHAT WAS THE

1 ARRANGEMENTS WITH YOU AND THE CHILDREN?

2 MR. SAYEGH: WE -- FIRST MIA AND NUHA LIVED
3 TOGETHER. AND THEN, BECAUSE WE'RE DISPLACED FROM THE
4 FIRES -- I WENT BACK INTO ALTADENA ABOUT FOUR MONTHS AGO
5 TO GET A BAG TOGETHER. AND SHE REMAINED DOWN THERE IN
6 TEMPLE CITY.

7 I HAD THE KIDS FRIDAY, SATURDAY, SUNDAY.

8 I DROPPED THEM OFF ON SCHOOL MONDAY. SHE WOULD PICK
9 THEM UP OF AFTER SCHOOL ON MONDAY UNTIL CLASS ENDED
10 ON FRIDAY.

11 THE COURT: SO YOU WOULD HAVE WHICH WEEKENDS?

12 MR. SAYEGH: EVERY WEEKEND.

13 THE COURT: SO YOU WOULD HAVE FROM JANUARY TO
14 SEPTEMBER. THE ARRANGEMENTS WERE THAT YOU WOULD HAVE
15 THE CHILDREN EVERY WEEKEND FROM FRIDAY AFTER SCHOOL?

16 MR. SAYEGH: YES.

17 THE COURT: FRIDAY NIGHT, SATURDAY, SUNDAY, AND
18 THEN DROP THEM OFF MONDAY AT SCHOOL?

19 MR. SAYEGH: YES.

20 THE COURT: HOW LONG HAD THAT ARRANGEMENT BEEN IN
21 PLACE?

22 MR. SAYEGH: SEVEN MONTHS, EIGHT MONTHS.

23 THE COURT: MA'AM, DO YOU AGREE THAT WAS THE
24 ARRANGEMENT BETWEEN THE PARTIES.

25 MS. SAYEGH: NOT EXACTLY.

26 I WOULD GET THEM MOST OF THE TIME MONDAY
27 THROUGH FRIDAY. THERE WOULD BE WEEKENDS MAYBE ONCE
28 A MONTH THAT HE WOULD DROP THEM OFF ON SCHOOL

1 MONDAY. AND THIS ONLY HAPPENED ONLY FOR MAYBE A
2 MONTH, TWO MONTHS -- YEAH, GIVE OR TAKE. MONTH OR
3 TWO MONTHS.

4 THE COURT: SO YOU'RE SAYING THAT.

5 MS. SAYEGH: FOR THE WHOLE MONTH, WE TRIED IT OUT.
6 SEE WHAT HAPPENS. THE SECOND MONTH I ENROLLED THEM TO
7 PASADENA UNIFIED BECAUSE MY DAUGHTER WANTED TO --

8 THE COURT: I'M NOT ASKING ABOUT THAT. I'M ASKING
9 ABOUT HOW OFTEN THEY SAW THE RESPONDENT?

10 MS. SAYEGH: ON THE WEEKENDS AND THROUGH THE
11 WEEKDAYS. HE WOULD POP UP AND HANG OUT LIKE REGULAR
12 PEOPLE.

13 MR. KOLODJI: YOUR HONOR, JUST TO CLARIFY.
14 RESPONSE -- THE REQUEST FOR DISSOLUTION MARRIAGE
15 FILED -- WE INDICATED THE SEPARATION WAS JUNE 8TH 2025.

16 THE COURT: UH-HUH.

17 MR. KOLODJI: WHICH IS I BELIEVE WE ARE -- WHEN
18 THIS DIVIDING LINE OCCURRED IN TERMS OF THIS SHARED
19 ARRANGEMENT --

20 THE COURT: YOU SAID THERE'S EVIDENCE YOU WERE
21 DEALING WITH ABUSE. SO WHAT IS YOUR CURRENT SOBRIETY?

22 MS. SAYEGH: ABOUT THREE OR FOUR YEARS, NOW.

23 THE COURT: I'M GOING TO ASK THE RESPONDENT THE
24 SAME QUESTION. WHAT TYPE OF CUSTODY ARRANGEMENT ARE YOU
25 ASKING FOR, AND WHY IS THAT IN THE BEST INTEREST OF
26 JORDAN AND MIA.

27 YOU'RE ASKING FOR WHAT TYPE OF VISITATION?

28 MS. SAYEGH: I'M BEEN A STAY-AT-HOME MOM MOST OF --

1 SINCE I CAN REMEMBER UNTIL NOW. AND I HAVE QUICK LITTLE
2 GIGS. I'M A CHEF. AND I NOW WORK AT RECOVERY COMPASS
3 WHICH IS --

4 THE COURT: HOW OFTEN SHOULD THE MINORS -- AND I'M
5 GOING TO AS RESPONDENT. WHAT TYPE VISITATION ARE YOU
6 ASKING FOR WITH KIDS WITH RESPONDENT?

7 I'M GOING TO ASK YOU THE SAME QUESTION IN
8 A MOMENT SIR.

9 MS. SAYEGH: I'LL GIVE HIM --

10 THE COURT: NOT "WHAT I'LL GIVE YOU." YOU CAN TELL
11 ME WHAT YOU SUGGEST.

12 MS. SAYEGH: I MEAN I WANT THE FATHER TO BE IN THE
13 KIDS' LIVES AS MUCH AS POSSIBLE. BUT I DO TAKE CARE OF
14 THEM FULLY. I NURTURE THEM.

15 THE COURT: SO YOU'RE ASKING FOR EVERY WEEKEND WITH
16 THE DAD? WHAT ARE YOU ASKING FOR?

17 DON'T LOOK AT YOUR LAWYER. LOOK AT ME.

18 MS. SAYEGH: BECAUSE THE KIDS LOVE THEIR DAD, YOU
19 KNOW.

20 THE COURT: OKAY.

21 SIR, WHAT ARE YOU ASKING FOR IN TERMS OF
22 VISITATION?

23 MR. SAYEGH: I'LL PICK THEM UP FROM SCHOOL ON
24 FRIDAYS. I'LL PICK THEM UP FROM SCHOOL, AND I'LL COME
25 DROP THEM OFF AT SCHOOL ON MONDAY.

26 THE COURT: EVERY WEEK?

27 DOES THAT WORK FOR YOU, MA'AM? YOU CAN GO
28 --

1 MS. SAYEGH: THERE WILL BE WEEKENDS THAT I WOULD
2 LIKE TO HAVE --

3 THE COURT: IT'S UNUSUAL FOR ME TO GIVE ALL THE
4 WEEKENDS TO ONE PARENT.

5 MR. SAYEGH: IF SHE WANTS ONE, SHE ABSOLUTELY CAN.
6 MORE THAN HAPPY. IF SHE HAS SOMETHING TO DO,
7 ABSOLUTELY. WE ALWAYS HAD THAT TYPE OF RELATIONSHIP.
8 IF SHE NEEDS ME TO TAKE THE KIDS DURING THE WEEK --
9 WHATEVER THE CASE MAY BE. I DON'T FORESEE THAT BEING AN
10 ISSUE.

11 THE COURT: GO AHEAD, MA'AM.

12 MS. SAYEGH: NO.

13 THAT'S --

14 THE COURT: OKAY.

15 ANYTHING -- SO YOU'VE TESTIFIED YOU'RE
16 DEALING WITH SOBRIETY. ANYTHING I SHOULD KNOW ABOUT
17 THE RESPONDENT OTHER THAN WHAT'S TESTIFIED ABOUT THE
18 ABUSE BETWEEN THE TWO OF, ABOUT HIS RELATIONSHIP
19 WITH THE CHILDREN, YOU BELIEVE THE CHILDREN ARE SAFE
20 WITH THEM?

21 MS. SAYEGH: YES.

22 THE COURT: HOW FAR DO YOU LIVE AWAY --

23 MR. SAYEGH: I LIVE IN ALTADENA. I DON'T KNOW
24 WHERE SHE LIVES.

25 THE COURT: WHAT CITY?

26 MR. SAYEGH: TEMPLE CITY.

27 THE COURT: WHENEVER THERE'S ONE PARENT WHO'S
28 LIVING WITH THE CHILDREN AND THE OTHER PARENT HAS

1 WEEKENDS, TYPICALLY WHAT I DO WHEN BOTH PARENTS -- IT'S
2 GOOD FOR THE MINORS TO HAVE THOSE PARENTS INVOLVED TO
3 HAVE MIDWEEK VISITS -- LIKE EVERY TUESDAY, TAKE THEM
4 OUT, TAKE THEM TO DINNER. IS THAT SOMETHING YOU'D BE
5 INTERESTED IN?

6 MR. SAYEGH: ABSOLUTELY.

7 THE COURT: WHAT DAY OF THE WEEK WOULD YOU BE
8 ASKING FOR? ONE OR TWO? AND I'LL TALK TO THE
9 PETITIONER. AT LEAST ONE DAY A WEEK BECAUSE YOU'RE ONLY
10 SEEING THEM ON THE WEEKENDS.

11 MR. SAYEGH: WEDNESDAY ARE PRETTY GOOD BECAUSE WE
12 LIKE TO HAVE -- MONDAYS ARE GREAT TOO BECAUSE THEY'RE
13 HALF DAY. WHATEVER SHE'S HAPPIER WITH.

14 MR. KOLODJI: YOUR HONOR, IF WE'RE GOING TO DO
15 MIDWEEKS, MAYBE WE SHOULD DO ALTERNATING WEEKEND
16 SCHEDULE.

17 THE COURT: LET'S FIRST START WITH -- I'M LISTENING
18 TO THE PARTIES. AND THE PARTIES ARE FINE WITH THIS?

19 MR. SAYEGH: I WOULD LIKE MONDAYS BECAUSE THEY HAVE
20 HALF-OFF DAYS.

21 THE COURT: MONDAYS FINE WITH YOU?

22 MS. SAYEGH: EVERY MONDAY?

23 THE COURT: MONDAY IS FINE, BUT WHEN YOU HAVE THEM
24 ON THE WEEKEND SOMETIMES --

25 MR. SAYEGH: I'LL TAKE A WEDNESDAY THEN.

26 THE COURT: THIS WILL BE EVERY WEDNESDAY YOU'LL
27 PICK UP THE KIDS FROM SCHOOL -- TALK ABOUT WHERE THE
28 LOCATION WILL BE. AND THE KIDS ARE 6 AND 13. SO YOU'VE

1 GOT TO DROP THEM OFF SAY 6:00 OR 7:00 P.M.

2 WHAT'S IS OKAY WITH YOU?

3 MR. SAYEGH: THAT'S FINE.

4 8:00 P.M.?

5 THE COURT: NO. NO. THEY CAN'T DO 8:00 BECAUSE
6 THEY HAVE TO GO BACK.

7 WHAT TIME DO THEY GET OUT OF SCHOOL?

8 MR. SAYEGH: THEY GET OUT AT 3:30.

9 THE COURT: SO 3:30 TO WE'LL SAY 6:00. THAT'S TWO
10 AND A HALF HOURS TO TAKE THEM TO SHAKEY'S, TAKE THEM TO
11 THE PARK, TAKE THEM TO YOUR HOUSE, TAKE THEM WHEREVER.
12 SO WE'LL SAY 6:30. SO THAT'S THREE HOURS. THAT'S EVERY
13 WEDNESDAY DAD PICK-UP FROM SCHOOL.

14 AND WHERE'S THE DROP-OFF? IS IT GOING TO
15 BE THE POLICE STATION, OR IS IT GOING TO BE
16 RESIDENCE? WHERE ARE YOU ASKING THE DROP-OFF TO BE?

17 MS. SAYEGH: WHICHEVER RESIDENCE WE END UP STAYING
18 AT.

19 THE COURT: DOES THAT WORK FOR YOU, SIR?

20 MR. SAYEGH: YES.

21 THE COURT: I'LL PUT IN WEEKENDS WITH DAD BUT THE
22 MOTHER COULD HAVE ONE WEEKEND PER MONTH. AND TELL THE
23 DAD A WEEK IN ADVANCE THAT THAT WEEKEND THAT YOU'RE
24 GOING TO KEEP THE KIDS.

25 DOES THAT MAKE SENSE?

26 MS. SAYEGH: YES.

27 THE COURT: AND THAT ALSO WORKS FOR YOU?

28 MR. SAYEGH: YES.

1 THE COURT: CAN YOU DO THE HOLIDAY SCHEDULE?
2 PARTIES CAN MEET AND CONFER ABOUT THE HOLIDAY SCHEDULE?

3 MS. SAYEGH: I DON'T KNOW.

4 THE COURT: TELL ME A LITTLE BIT MORE ABOUT YOUR
5 SOBRIETY. YOU SAID THREE YEARS SOBER. DO YOU HAVE A
6 RESPONSOR? DO YOU HAVE --

7 MS. SAYEGH: I DO. I HAVE EVERYTHING, YEAH.

8 THEY JUST DRUG TESTED ME TOO.

9 THE COURT: YOU'RE STILL GETTING TESTED?

10 MS. SAYEGH: NO.

11 D.C.F.S. ENDED UP CLOSING THIS CASE. AND
12 SHE DRUG TESTED ME. OF COURSE, NOTHING.

13 THE COURT: BUT THERE'S NO ISSUES WITH DAD, NO DRUG
14 --

15 MR. SAYEGH: I BELIEVE SHE'S CURRENTLY SOBER.

16 THE COURT: AND YOU'RE EMPLOYED, SIR? YOU HAVE A
17 JOB?

18 MS. SAYEGH: I AM KIND OF -- BECAUSE OF MY
19 SUSPENSION, I'M KIND OF DOING MARKETING FOR A LAW FIRM
20 CURRENTLY.

21 THE COURT: NO DRUGS, NO ISSUES WITH YOU AND DRUGS?

22 MR. SAYEGH: NO, YOUR HONOR.

23 I JUST TOOK A DRUG TEST.

24 THE COURT: SO FOR THOSE FACTORS, IT SEEMS LIKE THE
25 3044 WOULD BE REBUTTED BECAUSE EVEN THOUGH I BELIEVE
26 YOUR CLIENT HAS DEMONSTRATED BY THE EVIDENCE THAT THE
27 RESPONDENT HAS ANGER ISSUES, WHEN HE GETS VIOLENT HE
28 INFILCTS INJURIES AGAINST PETITIONER -- I DON'T SEE

1 EVIDENCE OF HIM BEING A DANGER WITH THE CHILDREN. HE --
2 YOUR CLIENT HAS A HISTORY OF DRUGS. AND I'M GLAD THAT
3 SHE'S SOBER. BUT IT SEEMS LIKE THE FATHER SHOULD HAVE
4 JOINT LEGAL AND JOINT PHYSICAL CUSTODY OF THE MINORS
5 BASED ON THOSE FACTS.

6 MR. KOLODJI: YOUR HONOR, WE WOULD REQUEST JOINT --
7 SOLE LEGAL CUSTODY IN THIS CASE. BECAUSE I THINK THAT
8 IT HASN'T BEEN ENOUGH TIME TO REBUT 3044. HE LITERALLY
9 DID THESE INCIDENTS --

10 THE COURT: YOU'RE SAYING UNDER 3044(B) -- AND I
11 WOULD HAVE TO MAKE A FINDING UNDER 3044(B) THAT YOU
12 REBUTTED WHICH BASICALLY GIVES A LIST OF THINGS TO DO OR
13 THINGS FOR THE COURT TO CONSIDER LIKE ENROLLING IN A
14 DOMESTIC VIOLENCE PROGRAM, LIKE COMPLETING AN ANGER
15 MANAGEMENT PROGRAM. SO I UNDERSTAND WHAT COUNSEL IS
16 SAYING IS THAT IT'S A LITTLE BIT TOO SOON. BUT IT
17 APPEARS THAT THAT'S THE ROAD THAT I SEE THIS GOING ON AS
18 LONG AS THERE'S NO MORE ABUSE THAT YOU WOULD REBUT THE
19 PRESUMPTION SO THE GOAL WOULD BE JOINT PHYSICAL JOINT
20 LEGAL. BUT I AGREE, COUNSEL, WE'RE NOT THERE YET.

21 AND I WOULD REQUEST THAT YOU ENROLL AND
22 COMPLETE A 52-WEEK ANGER MANAGEMENT PROGRAM, D.V.C.
23 PROGRAM. ONCE YOU ENROLL IN THAT PROGRAM AND YOU
24 TAKE FOUR TO FIVE CLASSES, AND YOU SHOW THAT PROOF
25 AND THERE'S NO OTHER INCIDENTS I THINK THAT WOULD
26 REBUT THE 3044.

27 WHAT WE'LL DO, SIR, I'M GOING TO ISSUE A
28 RESTRAINING ORDER FOR THREE YEARS. THAT'S GOING TO

1 EXPIRE OCTOBER 15TH 2028, AT MIDNIGHT. I'M NOT
2 GOING TO INCLUDE THE MINORS AS PROTECTED PARTIES.

3 I AM GOING TO ORDER THAT YOU NOT HARASS,
4 ATTACK, STRIKE, THREATEN, ASSAULT, HIT, FOLLOW,
5 STALK, MOLEST, DESTROY THE PERSONAL PROPERTY,
6 SURVEILLANCE, IMPERSONATE, BLOCK THE MOVEMENTS,
7 ANNOY BY PHONE OR ANY ELECTRONIC MEANS, DISTURB THE
8 PEACE OF THE PETITIONER. YOU'RE TO HAVE NO CONTACT
9 WITH THE PETITIONER EXCEPT BRIEF AND PEACEFUL
10 CONTACT TO COMMUNICATE ABOUT YOUR CHILDREN OR HAVE
11 CONTACT WITH HER FOR COURT ORDERED VISITS AND
12 CONTACTS.

13 SO THE ONLY TIME YOU'RE COMMUNICATING WITH
14 THE PETITIONER WILL BE THROUGH O.F.W.

15 HAVE THE PARTIES ALREADY ENROLLED IN OUR
16 FAMILY WIZARD?

17 I'M GOING TO ORDER THAT THE PARTIES ENROLL
18 IN OUR FAMILY WIZARD AND COMMUNICATE ONLY FOR THE
19 KIDS. ONLY FOR THE KIDS. OTHERWISE YOU'RE TO STAY
20 100 YARDS AWAY FROM HER, HER HOUSE, HER JOB, AND HER
21 CAR. SHE MAY RECORD ANY COMMUNICATIONS MADE BY YOU
22 THAT VIOLATE THIS ORDER.

23 I'M GOING TO ORDER THAT YOU ENROLL AND
24 COMPLETE THE 52-WEEK BATTERER'S INTERVENTION
25 PROGRAM.

26 AND SIR, WHAT I'M GOING TO DO IS I'M GOING
27 TO BRING YOU BACK IN THREE MONTHS. AND HERE'S THE
28 PURPOSE OF THAT. IF YOU HAVE ENROLLED IN AND

1 COMPLETED AT LEAST FIVE CLASSES AND THERE'S NO OTHER
2 INCIDENTS, THEN I'LL LIKELY MAKE A FINDING THAT YOU
3 HAVE REBUTTED THE PRESUMPTION IN 3044 AND GIVEN
4 JOINT LEGAL AND JOINT PHYSICAL CUSTODY. SO ENROLL
5 IN THE PROGRAM. IF NO INCIDENTS, JOINT LEGAL/JOINT
6 PHYSICAL.

7 MR. SAYEGH: WHAT WAS THE RETURN DATE?

8 THE COURT: LET'S PICK THAT NOW.

9 MR. KOLODJI: AND YOUR HONOR, WE WOULD ALSO -- WE
10 REQUESTED CHILD SUPPORT, SPOUSAL SUPPORT, AND ALSO
11 ATTORNEY'S FEES. I'VE FILED ATTORNEY'S FEES ON THE
12 SEPARATE MOTION. SHE FILED AN INCOME AND EXPENSE
13 DECLARATION WITH THIS COURT INDICATING THEIR RENT IS
14 5600 AND INDICATES 5500 SO SHE NEEDS --

15 THE COURT: I HAVE TO SEE HIS FL 150.

16 MR. KOLODJI: YOUR HONOR, WHAT I DO HAVE IS
17 ATTACHED TO THE SUPPLEMENTAL DECLARATION HE --

18 THE COURT: SO FIRST LET ME GET THE RETURN DATE,
19 AND THEN WE'LL TALK ABOUT THAT.

20 WHAT ABOUT JANUARY 7TH?

21 DOES THAT WORK FOR EVERYBODY'S CALENDAR?

22 YOU SAID THE JANUARY 14. 52-WEEK PROGRAM,
23 COMPLETE AT LEAST FOUR CLASSES. IF YOU DO THAT AND
24 NO INCIDENCES, IT WILL BE JOINT LEGAL AND JOINT
25 PHYSICAL.

26 IN TERMS OF SUPPORT -- SO WHENEVER THERE'S
27 A REQUEST FOR SUPPORT, I NEED TO HAVE THE FINANCIALS
28 OF THE PARTIES, I HAVE THE PETITIONER'S FL 150. I

1 DON'T HAVE THE RESPONDENT'S. I CAN'T MAKE AN ORDER
2 WITHOUT HIS DECLARATION. I CAN BRING HIM BACK
3 EARLIER BUT --

4 SIR, THE REQUEST GOES BACK RETROACTIVELY
5 TO THE DATE OF THE REQUEST; SO AS SOON AS THERE'S A
6 DISPARITY OF INCOME --

7 ARE THESE PROVISIONS FOR PREVAILING ON A
8 D.V.R.O.? GUIDELINE SUPPORT?

9 MR. KOLODJI: THE ATTORNEY'S FEES REQUEST IS ON THE
10 WAY TO -- IT HAS TO BE FILED SEPARATELY, YOUR HONOR.

11 AS MY EXHIBIT G, I ATTACHED INFORMATION --
12 AND I CAN PULL UP OUT EMAIL -- THAT RESPONDENT'S --
13 AS PROOF OF INCOME FOR HIS -- FOR HER LEASE. AND IF
14 YOU ADD UP THE MONEY THAT HE GOT OVER THESE FOUR
15 MONTHS, IT COMES OUT TO \$48,000, A MONTH. I GUESS
16 \$100,000 --

17 THE COURT: I NEED HIS FL 150. I'M NOT GOING TO
18 RELY ON THAT. THAT MIGHT BE SUPPLEMENTAL TO RELY ON,
19 BUT I NEED YOU TO HAVE A CHANCE TO FILE YOUR FL 150 --

20 MR. SAYEGH: I HAVE COUNSEL FOR THE DISSOLUTION.

21 WE'LL MEET AND CONFER.

22 MR. KOLODJI: BETWEEN NOW AND JANUARY, HE AT LEAST
23 CAN TAKE -- AS PART OF OUR REQUEST THAT HE PAY THE
24 RENT -- SO IF HE CAN AT LEAST PAY THE RENT AND THE CAR
25 PAYMENT.

26 THE COURT: WHAT IS THE RENT AND CAR PAYMENT?

27 MR. SAYEGH: HE PAYS THE CAR PAYMENT. RENT WAS
28 5500. I HAVE THE INVOICE RIGHT HERE.

1 THE COURT: I'M NOT GOING TO MAKE THAT ORDER. YOU
2 CAN COME BACK BEFORE JANUARY AND I CAN HAVE THE
3 RESPONDENT FILE HIS FL 150. AND WE CAN COME BACK IN A
4 MONTH. SO I'M NOT GOING TO MAKE AN ORDER FOR HIM TO PAY
5 5500 OR ANY OTHER AMOUNT. YOU CAN MEET AND CONFER.

6 MR. SAYEGH: I'LL CONTINUE PAYING HEALTH INSURANCE.
7 I'LL CONTINUE PAYING HER CAR INSURANCE. I'LL CONTINUE
8 PAYING HER CAR PAYMENT. AND I'LL CONTINUE PAYING HER
9 CELLPHONE.

10 THE COURT: DOES THAT WORK UNTIL JANUARY?

11 MS. SAYEGH: NOT UNTIL JANUARY.

12 THE COURT: SO WE'LL COME BACK -- SO I WON'T HAVE
13 YOU WAIT UNTIL JANUARY. WHAT I'LL DO IS FOR THAT
14 PORTION, SIR, YOU'RE GOING TO BE ORDERED TO FILE AND
15 SERVE AN FL 150. THAT'S AN INCOME AND EXPENSE
16 DECLARATION. THAT'S THE FINANCIAL DOCUMENT I NEED FROM
17 YOU BEFORE I'M ABLE TO MAKE ANY AWARD EITHER FOR
18 ATTORNEY'S FEES OR FOR SUPPORTS -- WHETHER IT'S CHILD OR
19 SPOUSAL SUPPORT. I CAN BRING THE PARTIES BACK FOR THAT
20 ON NOVEMBER 19TH OR ON NO 26TH.

21 MR. SAYEGH: I'LL TAKE THE 25TH.

22 THE COURT: 2 6. 2 6.

23 MR. SAYEGH: 2 6. I'LL TAKE THE 26TH.

24 MR. KOLODJI: I HAD THE SAME THOUGHT ESSENTIALLY IN
25 OUR MOVING PAPERS ASKED FOR POSSESSION OF THE HOUSE,
26 WHICH SOLVES THIS PROBLEM AND I JUST WANT TO INQUIRE OF
27 MY CLIENT --

28 THE COURT: WE'RE NOT GOING TO SOLVE IT NOW.

1 SO NOVEMBER 19TH FOR THE REMAINING ISSUES
2 REQUESTED BY THE PETITION. SO I'LL SEE THE PARTIES
3 ON 11/19 AT 8:30. AND THAT'S FOR THE ISSUE OF
4 PROPERTY CONTROL AND SUPPORT AND ATTORNEY'S FEES.
5 THE RESPONDENT IS ORDERED TO FILE AND SERVE AN FL
6 150 FOR THAT DATE.

7 ALL RIGHT.

8 I'M SEE EVERYONE ON NOVEMBER 19TH.

9 SIR, WAIT IN THE HALLWAY. YOU'LL BE
10 SERVED WITH THE RESTRAINING ORDER.

11 (WHEREUPON, THE ABOVE PROCEEDINGS CONCLUDED.)

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1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF LOS ANGELES
3 DEPARTMENT L HONORABLE JOEL L. LOFTON, JUDGE

4
5 FAHED SAYEGH,)
6)
7 PETITIONER,)
8 VS.) RPT'S CERT.
9) CASE NO.
NUHA SAYEGH,) 25PDRO01260
RESPONDENT.)
10 _____)
11

12 I HEREBY CERTIFY THAT ON THE 15TH DAY OF
13 OCTOBER, 2025, I, TOSHA TOWNSEND, CSR #9156,
14 OFFICIAL REPORTER OF THE ABOVE ENTITLED COURT, WAS
15 ASSIGNED AS SHORTHAND REPORTER TO REPORT THE
16 TESTIMONY AND PROCEEDINGS CONTAINED IN THE
17 TRANSCRIPT HEREIN; AND DID ACT AS SUCH REPORTER;
18 THAT THE FOREGOING IS A TRUE AND CORRECT
19 TRANSCRIPTION OF MY SAID NOTES, AND A FULL, TRUE AND
20 CORRECT STATEMENT OF SAID TESTIMONY AND PROCEEDINGS.

21
22 *Tosha Townsend*
23

TOSHA TOWNSEND, CSR. #9156
OFFICIAL REPORTER
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25
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