

1 **ORDR**

2 **DISTRICT COURT**
3 **CLARK COUNTY, NEVADA**

4 [REDACTED]
5 [REDACTED]
6 Plaintiff,
7 v.
8 TODD MATTHEW PHILLIPS,
9 Defendant.

Case No.: D-18-[REDACTED]-D
Dept No.: X

Date of Hearing: January 30, 2025
Time of Hearing: 2:30PM

11 **ORDER DEEMING TODD MATTHEW PHILLIPS A VEXATIOUS LITIGANT**

12 On January 2, 2025, this Court ordered Defendant Todd (Mr. Phillips) Matthew Phillips to
13 appear and show cause why he should not be held to be a vexatious litigant at a hearing to be
14 conducted on January 30, 2025, at 2:30 p.m. (Doc. ID# 582, the "OSC"). On January 21, 2025,
15 Plaintiff filed her Response in Support of the OSC. (Doc. ID# 589). On January 23, 2025, the
16 Court issued an Amended Order to Show Cause nunc pro tunc which added the city, state, zip
17 code and internal courtroom designation, i.e., 3B (Doc. ID # 593) for the hearing. On January 28,
18 2025, Todd filed a responsive pleading to the Show Cause captioned Affidavit of T. Matthew
19 Phillips (Doc. ID # 594).

20 On January 30, 2025, the Court conducted a hearing. Plaintiff [REDACTED]
21 [REDACTED] was present in person and represented through her counsel, Dan
22 R. Waite, Womble Bond Dickinson (US) LLC. Defendant Mr. Phillips was present in person and
23 represented himself.

24 The Court swore in both [REDACTED] and Mr. Phillips. The Court canvassed Mr. Phillips
25 related to allegations contained in the Amended Order to Show Cause on a page by page basis.
26 The Court noted and referenced [REDACTED] Exhibit 2 attached to her January 21, 2025
27 Response. [REDACTED] was granted leave to ask any questions of Mr. Phillips and declined. Both
28 Mr. Phillips and [REDACTED] made closing arguments with Mr. Phillips granted final rebuttal.

1 Following presentation of testimony, the Court issued an oral decision from the bench and
2 advised Mr. Phillips of his appeal rights.

3 **Standard of Review**

4 “A court imposing access restrictions on a vexatious litigant . . . must (1) provide notice of
5 and an opportunity to oppose the proposed restrictions; (2) create an adequate record that includes
6 a list of the filings or other reasons that led it to conclude that a restrictive order is needed,
7 including consideration of other less onerous sanctions to curb the repetitive or abusive activities;
8 (3) make substantive findings as to the frivolous or harassing nature of the litigant’s actions; and
9 (4) narrowly tailor the restrictions to address the specific problem and set an appropriate by which
10 to measure future filings.” *Jones v. Eighth Judicial District Court*, 130 Nev. 493, 496, 330 P.3d
11 475, 477 (2014) (adapted from *Jordan v. State ex rel. Dep’t of Motor Vehicles & Public Safety*,
12 121 Nev. 44, 110 P.3d 30 (2005), *abrogated on other grounds by Buzz Stew, LLC v. City of N.*
13 *Las Vegas*, 124 Nev. 224, 181 P.3d 670 (2008) (“*Jordan*”).

14 In determining whether Mr. Phillips is a vexatious litigant, this Court reviewed the
15 evidence on file in this case and in Case No. R-20-XXXXX-R, the companion case between these
16 parties, which is also presided over by Dept. X, took judicial notice of those matters referenced in
17 this Order in other cases,¹ and evaluates, finds, concludes, and orders as follows:

18 //

19 //

20 ¹ The court “may take judicial notice of court filings and other matters of public record.” *Reyn’s*
21 *Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d 741, 746 n.6 (9th Cir. 2006); *see Mack v. Estate of*
22 *Mack*, 125 Nev. 80, 92 (2009) (court may take judicial notice of other state court proceedings
23 when there is a close relationship between the two cases). Additionally, a court may take judicial
24 notice of facts that are “[c]apable of accurate and ready determination by resort to sources [e.g.,
25 court records] whose accuracy cannot reasonably be questioned.” NRS 47.130(2)(b). More
26 specifically, in determining whether to find that a party is a vexatious litigant, the court can “take
27 judicial notice of various court records from . . . related proceedings.” *In re B Squared, Inc.*, 654
28 Fed. Appx. 268, 270 (9th Cir. 2016); *Middleton v. Bank of America, NA*, 2021 WL 767814, at *3
(D. Nev. Jan. 7, 2021) (in a vexatious litigant proceeding, “[t]he Court takes judicial notice of the
dockets in those cases and particularly the findings of those courts.”); *Ramachandran v. City of*
Los Altos, 2024 WL 1745037 at *7 (N.D. Cal. April 22, 2024) (when determining vexatious
litigant issue, the court may consider “records from federal and state court actions involving
Plaintiff.”).

The court does not consider any disputed matters contained within the hereinafter
referenced court filings, only their existence and any stated reasoning of the courts or Mr.
Phillips’s own filings.

1 **ANALYSIS OF *JORDAN*'S FOUR FACTORS AND FINDINGS OF FACT**

2 **A. *Jordan*'s First Factor—Notice and Opportunity to be Heard**

3 “First, the litigant must be provided reasonable notice of and an opportunity to oppose a
4 restrictive order’s issuance. This requirement protects the litigant’s due process rights.” *Jordan*,
5 121 Nev. at 60, 110 P.3d at 42-43.

6 The Court FINDS this factor is satisfied; to wit: this Court’s OSC (Doc. ID# 582) and
7 notice of entry of such (Doc. ID# 583) as amended nunc pro tunc on January 23, 2025 (Doc. ID #
8 593 with automated Certificate of Service attached) provided Mr. Phillips with clear notice that
9 the Court was considering whether to find him a vexatious litigant. The OSC expressly referred
10 to *Jordan*’s four factors, thereby providing Mr. Phillips with notice of what the Court would
11 consider and, correlatively, what Mr. Phillips should focus on in his defense of the OSC, and
12 provided him with a special setting on a date/time certain to appear and be heard. Therefore, the
13 Court FINDS due process satisfied.

14 **B. *Jordan*'s Second Factor—Adequate Record for Review**

15 “Second, the district court must create an adequate record for review, including a list of all
16 the cases and documents, or an explanation of the reasons, that led it to conclude that a restrictive
17 order was needed to curb repetitive or abusive activities.” *Jordan*, 121 Nev. at 60, 110 P.3d at 43.

18 Satisfying this requirement is somewhat difficult because the available evidences are so
19 numerous. This Court’s OSC painstakingly listed some of Mr. Phillips’s “numerous motions that
20 are not supported by law, fail to state claims for relief, and/or are not actionable legal claims, and
21 lack specific allegations.” (OSC at 2:7-12 and fn.2). The Court noted thirteen (13) requests filed
22 by Mr. Phillips in this case to disqualify judges. (*Id.* at fn.3). The OSC also listed Mr. Phillips’s
23 six unsuccessful appeals/writ petitions related to this case, (*id.* at n.4), and several unsuccessful
24 federal district court cases related to this case, (*id.* at fn.5). Those references from the OSC are
25 incorporated herein.

26 It is not the mere numerosity of these examples that matters; rather, it is the lack of merit
27 they evidence upon inspection. *See Jordan*, 121 Nev. at 61, 110 P.3d at 43. However, the
28

1 frivolous or harassing nature of these examples is the subject of the *Jordan* third factor (and will
2 be addressed in the next section).

3 **C. *Jordan's* Third Factor—Substantive Findings of Litigant's Frivolous or**
4 **Harassing Conduct**

5 “Third, the district court must make substantive findings as to the frivolous or harassing
6 nature of the litigant’s actions. Thus, the restrictive order cannot issue merely upon a showing of
7 litigiousness. The litigant’s filings must not only be repetitive or abusive, but also be without an
8 arguable factual or legal basis, or filed with the intent to harass.” *Jordan*, 121 Nev. at 61, 110
9 P.3d at 43 (internal quotation marks omitted).

10 The motivation to harass an opponent is especially a concern in family court cases where
11 one spouse may “attempt to highjack the Court proceedings as a way to continue their domination
12 and victimization of their abused spouse.”² Indeed, the vexatious litigant in family court
13 “relish[es] in these opportunities to make the ex-partner suffer. . . .The abuser retains or regains
14 control by bringing the victim back to court repeatedly.”³

15 Mr. Phillips is an attorney licensed by the State of California (Bar No. 165833) since
16 September 29, 1993. He is a self-proclaimed “‘expert’ in the law”⁴ and “constitutional scholar.”⁵
17 He has repeatedly abused the legal system without the need to pay any attorney to represent him
18 through his numerous legal escapades. For him, the “consequences of litigation are . . . trivial . . .
19 , whereas retribution for a real or imagined slight or injustice is [his] foremost priority.”⁶

20 ² Mark I. Levy, MC, DLFAPA, *Vexatious Litigants—Litigants Who Won’t Accept “No” (or*
21 *“Yes”)* for an Answer, Forensic Psychiatry, Reference Manual (June 10, 2007), available at
https://fpamed.com/litigants_who_w/.

22 ³ L. Fontes, Ph.D, *It’s Post-Separation Legal Abuse, Not High Conflict Divorce*, Psychology
23 Today (Jan. 18, 2022), available at [https://www.psychologytoday.com/us/blog/invisible-](https://www.psychologytoday.com/us/blog/invisible-chains/202201/its-post-separation-legal-abuse-not-high-conflict-divorce?msockid=1a37c5c8d74760471c5bd0c3d6c361fc)
24 [chains/202201/its-post-separation-legal-abuse-not-high-conflict-](https://www.psychologytoday.com/us/blog/invisible-chains/202201/its-post-separation-legal-abuse-not-high-conflict-divorce?msockid=1a37c5c8d74760471c5bd0c3d6c361fc)
[divorce?msockid=1a37c5c8d74760471c5bd0c3d6c361fc](https://www.psychologytoday.com/us/blog/invisible-chains/202201/its-post-separation-legal-abuse-not-high-conflict-divorce?msockid=1a37c5c8d74760471c5bd0c3d6c361fc).

25 ⁴ Doc. ID# 143 (filed 12/23/19) at 5:6-7 (“After 27 years as a licensed attorney, it’s fair to
say Respondent is an ‘expert’ in the law.”).

26 ⁵ Doc. ID# 589 at Ex. 9 (at p. 3).

27 ⁶ Coffey, Brodsky, and Sams, “*I’ll See You in Court...Again: Psychology and*
28 *Hyperlitigious Litigants*, J. Am. Academy of Psych. & the Law (March 2017) (available at
<https://jaapl.org/content/45/1/62>).

1 **Matters Filed by Mr. Phillips as a Pro Se Party**

2 **Captioned Matters Listed in the Order to Show Cause**

3 The following matters were listed in the Court's January 2, 2025 Order to Show Cause (as
4 amended nunc pro tunc on January 23, 2025). On the following dates Mr. Phillips filed
5 documents resulting in separate Clerk's Notices of Hearings being issued as a result of the motion
6 or request. In issuing its Order, the Court takes into account *the totality* of the matters filed by
7 Mr. Phillips and concludes a *pattern* of filings evincing an intent to vex and/or harass with some,
8 but not all pleadings, being frivolous and/or without legal merit.

9 When a date is listed repeatedly, it indicates Mr. Phillips filed more than one motion or
10 request on that date:

11 **November 12, 2018:**

12 Mr. Phillips' Amended Request for Extension to File Answer; Affidavit of T.
13 Matthew Phillips (Doc. ID # 9)

14 **January 14, 2019:**

15 Mr. Phillips' Ex parte Motion for Continuance of Hearing (set for January 29,
16 2019); Affidavit of T. Matthew Phillips (Doc. ID #16)

17 **January 18, 2019:**

18 Mr. Phillips' Ex parte Application to Seal File (Doc. ID # 18)

19 **January 24, 2019:**

20 Mr. Phillips' Request for Extension of Time to File Opposition to Motion for
21 Interim Orders; Affidavit of T. Matthew Phillips [filed in conjunction with Ex
22 parte Motion for Continuance] (Doc. ID # 21)

23 ***On March 4, 2019, this case was reassigned from Judge Linda Marquis (Department B)
24 to Judge Vincent Ochoa (Department S***

25 **April 1, 2019:**

26 Mr. Phillips' Ex parte Application for Order Allowing Clark County Courts to
27 Serve Process on Petitioner; Affidavit of T. Matthew Phillips (Doc. ID #36)

28 **April 2, 2019:**

Mr. Phillips' Notice of Motion and Motion for Order Requiring Minor Child to
Make Daily Telephone Calls to Non-Custodial Parent (Doc. ID # 37)

April 5, 2019:

Mr. Phillips' Ex parte Motion for Order Shortening Time (Doc. ID # 39)

April 8, 2019:

Ex parte Motion for Return of Child under this Section Must be Given Priority on
the Court's Calendar [NRS 125C.0055] (Doc. ID # 41)

April 14, 2019:

Mr. Phillips' Motion Request to Calendar Two Ex parte Motions for April 18,
2019 (Doc. ID # 45)

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May 3, 2019:
Mr. Phillips' Request for a Hearing on May 7, 2019; Respondent Requests Expedited Review (Doc. ID # 50)

May 8, 2019:
Mr. Phillips' Ex parte Request for Order Shortening Time (Doc. ID # 55)

May 12, 2019:
Mr. Phillips' Request to Continue Trial Date; Declaration of T. Matthew Phillips (Doc. ID # 56)

May 16, 2019:
Mr. Phillips' Motion and Notice of Motion for Orders to Modify Child Custody, Visitation and/or Child Support (Doc. ID # 61)

August 19, 2019:
Mr. Phillips' Reply to Petitioner's Opposition and Respondent's Demand for Jury Trial (Doc. ID #108)

August 21, 2019:
Mr. Phillips' Request for Ruling in Related TPO Case (T-19-194434-T) (Doc. ID # 115)

August 21, 2019:
Mr. Phillips' Motion for Relief from Order [NRCP 60(b)] (Doc. ID # 116)

On September 27, 2019, a final Decree of Divorce was filed (Doc. ID #122)

October 15, 2019:
Mr. Phillips' Motion Order Allowing the Parties to Jointly Choose Reunion Therapist (filed for case T-18-191733-T) (Doc. ID #125)

October 18, 2019:
Mr. Phillips' Motion for Order to Require Department of Motor Vehicles (DMV) to Register Vehicle (Doc. ID # 126)

October 28, 2019:
Mr. Phillips' Motion for Order to Take Petitioner's Deposition in Department S (filed for case T-18-191733T) (Doc. ID # 128)

December 13, 2019:
Mr. Phillips' Motion to Continue Trial Date until after Plaintiff's Deposition (filed with incorrect case number) (Doc. ID #136)

December 18, 2019:
Mr. Phillips' Notice of Motion and Motion to Disqualify Judge [Vincent Ochoa] (NRS 1.235) (Doc. ID #137)

December 23, 2019:
Mr. Phillips' Motion for Sanctions against [Plaintiff] and her Lawyer for Exposing Minor Child to Court Proceedings (Doc. ID #142) and Motion to Enforce Court Order or, in the Alternative, Dissolve Restraining Order (Doc. ID # 143)

December 23, 2019:
Mr. Phillips' Demand for New Judge based on Actual Bias and Actual Prejudice (Doc. ID # 144)

December 25, 2019:
Mr. Phillips' Motion for Declaratory Relief et al. (Doc ID # 152)

1 ***On January 29, 2020, Chief Judge Linda Bell issues Decision and Order denying Mr.***
2 ***Phillips' request for disqualification of Judge Vincent Ochoa (Department S)(Doc ID.***
3 ***#165)***

4 **February 12, 2020:**

Mr. Phillips' Second Motion to Disqualify Judge [Vincent Ochoa] (Doc. ID # 168)

5 **February 25, 2020:**

6 Mr. Phillips' Anti-SLAPP Motion to Strike Portions of Judge's [February 13,
7 2020] Affidavit (citing Nevada and California statutes) (Doc. ID #176)

8 **February 25, 2020: *erroneously listed as 2019 for filing year in the Order to Show***
9 ***Cause as Amended***

Mr. Phillips' Evidentiary Objection to Judge Ochoa's Affidavit (Doc. ID #177)

10 **February 25, 2020: *erroneously listed as 2019 for filing year in the Order to Show Cause***
11 ***as Amended***

Mr. Phillips' Motion to Disqualify Judge for Committing Perjury (Doc. ID #178)

12 **February 25, 2020: *erroneously listed as 2019 for filing year in the Order to Show Cause***
13 ***as Amended***

14 Mr. Phillips' Motion to Disqualify Judge for Falsifying Court Documents (Doc. ID
15 #179); Motion to Strike Portions of Defective Affidavit (Doc. ID #180); Motion to
16 Take Oral Examination of Affiant Judge Ochoa (Doc. ID #181)

17 **March 4, 2020:**

Mr. Phillips' Motion to take Oral Examination of Judge Ochoa (Doc. ID #187)

18 **March 14, 2020:**

19 Mr. Phillips' Motion for Relief from Order or, Alternatively, to Modify Child
20 Support and Alimony (Doc. ID # 191) *as amended* on the same date (Doc. ID #
21 192)

22 **March 20, 2020:**

23 Mr. Phillips' Anti-SLAPP Motion to Dismiss Plaintiff's Vexatious Litigant
24 Complaint (citing Nevada and California statutes) (Doc. ID #195)

25 **June 17, 2020:**

26 Mr. Phillips' Motion for Relief from Administrative Order (Doc. ID #224)

27 **June 22, 2020:**

28 Mr. Phillips' Motion for Relief from Administrative Order (Doc. ID #224)

June 24, 2020:

Mr. Phillips' Motion for Relief from Administrative Order (Doc. ID #227)

June 24, 2020:

Mr. Phillips' Notice of Withdrawal of Motion (Chambers Motion) (Doc. ID #228)

September 15, 2020:

Mr. Phillips' Motion for Leave to Amend Answer (NRCP 15) (Doc. ID #232)

October 12, 2020:

Mr. Phillips' Objection of Hearing (Doc. ID #238)

October 19, 2020:

Mr. Phillips' Request for Voluntary Recusal [of Judge Ochoa] (Doc. ID #244)

November 2, 2020:

Mr. Phillips' Motion for Reconsideration (Doc. ID #247)

November 10, 2020:

Mr. Phillips' Motion for Relief from Order (Doc. ID #250)

1 **November 18, 2020:**

2 Mr. Phillips' Motion for Judgment (NRCPC 50(a)(2)) (Doc. ID #252)

3 *This matter was pending appeal: See Notice of Appeal (filed January 17, 2021)(Doc.*
4 *ID #269) and Notice of Appeal (filed March 23, 2021)(Doc. ID #285) and Notice of*
5 *Remittitur (filed June 30, 2021)(Doc. ID. #295)*

6 **June 16, 2021:**

7 Mr. Phillips' Motion for Relief from Order (NRCPC 60(b)) (Doc. ID #293)

8 **June 17, 2021:**

9 Mr. Phillips' Motion for Relief from Order (Doc. ID #293)

10 **July 4, 2021:**

11 Mr. Phillips' Motion for Injunction Prohibiting Vaccination of Minor (Doc. ID
12 #299)

13 **July 12, 2021:**

14 Mr. Phillips' Notice of Withdrawal of Motion re: July 4, 2021 Motion for
15 Injunction et al. (Doc. ID #304)

16 **July 28, 2021:**

17 Mr. Phillips' Motion for Declaratory Relief (Doc. ID #309)

18 **July 28, 2021:**

19 Mr. Phillips' Motion to Enforce Court Order (Doc. ID #310)

20 **September 16, 2021:**

21 Mr. Phillips' Motion to Disqualify Judge Ochoa (Doc. ID #331)

22 **October 5, 2021:**

23 Mr. Phillips' Motion for Reconsideration (Doc. ID #334)

24 *On October 6, 2021, this case was reassigned as a result of Judge Vincent Ochoa's*
25 *voluntary recusal (Doc. ID #336)*

26 **February 16, 2022:**

27 Mr. Phillips' Motion for Order to Enforce and/or Show Cause (Doc. ID #340)

28 **March 8, 2022:**

 Mr. Phillips' Motion for Relief from Two Order Dated September 9, 2021 (Doc.
 ID #345)

March 12, 2022:

 Mr. Phillips' Motion to Strike Scandalous and Immaterial Matter (NRCPC 12(f))
 (Doc. ID #347)

March 25, 2022:

 Mr. Phillips' Motion to Enforce the Duty to Sit [related to Judge Charles Hoskin,
 Department E] (Doc. ID #360)

On March 28, 2022, a Notice of Department Reassignment was filed, reassigning the
 case back to Department S (Judge Vincent Ochoa) (Doc. ID #362)

April 15, 2022:

 Mr. Phillips' Motion to Vacate Two Court Order (March 23, 2022 and April 5,
 2022) (Doc. ID #364)

1 **May 4, 2022:**

2 Mr. Phillips' Notice of Federal Civil Rights Violations (Doc. ID #368)

3 **May 31, 2022:**

4 Mr. Phillips' Request for Ruling (Doc. ID #371)

5 *On June 13, 2022, the Nevada Supreme Court issued a Notice of Remittitur (case number 82493)(Order of Affirmance) (Doc. ID #372)*

6 *On June 30, 2022, an Order Denying Disqualification denying Mr. Phillips' requests to disqualify Judge Vincent Ochoa was filed (Doc. ID #373)*

7 **July 5, 2022:**

8 Mr. Phillips' Motion for Reconsideration (Doc. ID #376)

9 **August 29, 2022:**

10 Mr. Phillips' Motion to Strike Judicial Memorandum (Doc. ID #382)

11 **September 2, 2022:**

12 Mr. Phillips' Motion to Disqualify Judge Vincent Ochoa (Doc. ID #383)

13 **September 20, 2022:**

14 Mr. Phillips' Motion to Strike Judge Vincent Ochoa's Affidavit (Doc. ID #386)

15 **September 28, 2022:**

16 Mr. Phillips' Request to Notice Ex parte Communication (Doc. ID #391)

17 *On September 30, 2022, an Order RE: [Mr. Phillips'] Motion to Disqualify Judge Ochoa was filed granting Mr. Phillips' request on the grounds he had been sued by Mr. Phillips (Doc. ID #392)(CJ Jerry Weise)*

18 *On October 3, 2022, a Notice of Department Reassignment was filed (Doc. ID #393)*

19 **October 6, 2022:**

20 Mr. Phillips' Motion for Order to Show Cause (Doc. ID #394)

21 *On October 7, 2022, Judge Charles Hoskin issued an Order of Disqualification disqualifying itself from the case pursuant to NCJD R.2.11(A) and NRS 1.230(3) (Doc. ID #395)*

22 *On October 10, 2022, a Notice of Department Reassignment was filed (Doc. ID #398)*

23 *On October 13, 2022, an Order of Recusal was filed wherein Judge Mary Perry (Department P) recused herself pursuant to NCJD 2.11(A) as she did not believe she could be totally impartial and unbiased (Doc. ID #401)*

24 *On October 14, 2022, a Notice of Department Reassignment was filed (Doc. ID #402)*

25 **October 15, 2022:**

26 Mr. Phillips' Motion to Disqualify Judge Matthew Harter (Department N) (Doc. ID #403)

1 *On October 18, 2022, Judge Matthew Harter filed an Order RE: [Mr. Phillips'] Motion*
2 *to Disqualify wherein Judge Harter recused himself as a consequence of being sued,*
3 *i.e., an adverse party, by Mr. Phillips in federal court (Doc. ID #412)*
4 *On October 19, 2022, a Notice of Department Reassignment was filed (Doc. ID #413)*

5 **October 21, 2022:**

6 Mr. Phillips' Motion to Disqualify Department A (Doc. ID #414)(on the grounds
7 no judicial officer was assigned to the Department)

8 **October 25, 2022:**

9 Mr. Phillips' Motion to Strike Motion for Reconsideration (Doc. ID #415)

10 *On November 30, 2022, a Certificate of Remittitur was filed (case numbers 82414 and*
11 *8269) (Doc. ID #424)*

12 *On January 3, 2022, this case was assigned to Judge Mari D. Parlade, Department A*

13 **January 3, 2023:**

14 Mr. Phillips' Motion for Order to Show Cause to Eject Third-Party Interloper from
15 Service List (Doc. ID #425)

16 **January 5, 2023:**

17 Mr. Phillips' Ex parte Motion to Advance Hearing Date (Doc. ID #427)

18 **January 31, 2023:**

19 Mr. Phillips' Motion for Declaratory Relief and Modification of Custody and
20 Child Support (Doc. ID #431)

21 **February 8, 2023:**

22 Mr. Phillips' Motion to Strike Immaterial and Scandalous Material (Doc. ID #433)

23 **February 14, 2023:**

24 Mr. Phillips' Motion to Vacate Void Custody Order (Doc. ID #437)

25 **February 28, 2023:**

26 Mr. Phillips' Request for Judicial Notice of Supreme Court Authorities (Doc. ID
27 #440)

28 **April 19, 2023:**

Mr. Phillips' Motion to Correct Clerical Mistake (Doc. ID #442)

August 29, 2023:

Mr. Phillips' Affidavit in Support of Request for Disqualification [of Judge Mari
D. Parlade, Department A] (Doc. ID #445)

On September 5, 2023, Judge Mari D. Parlade issued an Order recusing itself from the
case pursuant to NRS 1.235(5)(a) (Doc. ID #449)

On September 14, 2023, a Notice of Department Reassignment was filed (Doc. ID #458)

September 16, 2023:

Erroneous entry in Order to Show Cause as Amended

October 19, 2023:

Mr. Phillips' Affidavit RE: Jurisdiction [confirming UCCJEA jurisdiction] (Doc.
ID # 459)

October 25, 2023:

Mr. Phillips' Request for Visitation (Doc. ID #460)

1 **October 25, 2023:**

2 Mr. Phillips' Request for Judicial Notice (related to Judge Vincent Ochoa's
3 alleged constitutional violations of Mr. Phillips' rights, i.e., termination of his
4 parental rights) (Doc. ID #461)

5 **October 30, 2023:**

6 Mr. Phillips' Ex parte Application for Order Shortening Time (Doc. ID #462)

7 **November 2, 2023:**

8 Mr. Phillips' Motion for Judicial Notice of Court of Appeals Decision (in Roe v.
9 Roe, 139 Nev. Adv. Op. 21 (2023) (Doc. ID #463)

10 **November 2, 2023:**

11 Mr. Phillips' Motion for Visitation (Doc. ID #464)

12 **November 3, 2023:**

13 Mr. Phillips' Motion for Order to Show Cause and/or to Enforce (Doc. ID #467)

14 **November 3, 2023:**

15 Mr. Phillips' Ex parte Request for Order to Show Cause (Doc. ID #468)

16 ***On November 8, 2023, the parties' minor child, ~~XXXXXXXXXX~~ Phillips, emancipated***

17 **January 19, 2024:**

18 Mr. Phillips' Affidavit in Support of Request to Disqualify [Judge Bill Henderson,
19 Department R] (Doc. ID 493)

20 **January 19, 2024:**

21 Mr. Phillips' Affidavit in Support of Request to Disqualify [Judge Bill Henderson,
22 Department R] (Doc. ID 494)

23 **January 24, 2024:**

24 Mr. Phillips' Motion to Correct Clerical Mistake (Doc. ID #497)

25 **February 1, 2024:**

26 Mr. Phillips' Motion to Strike Immaterial Matter (NRCP 12(f)) (Doc. ID #505)

27 **February 6, 2024:**

28 Mr. Phillips' Ex parte Application for Order Advancing Hearing Date (Doc. ID
#510)

***On February 9, 2024, CJ Jerry Wiese issued an Order Denying Mr. Phillips' request to
Disqualify Judge Henderson (Doc. ID #511)***

March 3, 2024:

Mr. Phillips' Motion to Vacate Void Order [from Department A] (Doc. ID #518)

March 4, 2024:

Mr. Phillips' Motion to Vacate Void Order (Doc. ID #519)

March 14, 2024:

Mr. Phillips' Motion to Vacate Void Order (Doc. ID #523)

March 15, 2024:

Mr. Phillips' Motion to Vacate Void Media Order (Doc. ID #525)

March 29, 2024:

Mr. Phillips' Affidavit in Support of Second Request to Disqualify Sitting Judge
[Judge Bill Henderson, Department R] (Doc. ID #528)

April 16, 2024:

Mr. Phillips' Motion to Strike Immaterial Matter (Doc. ID #532)

1 ***On May 13, 2024, CJ Jerry Wiese issued an Order Denying Mr. Phillips' Second***
2 ***Request to Disqualify Judge Henderson (Doc. ID #538)***

3 **May 28, 2024:**

4 Mr. Phillips' Motion for Reconsideration (Doc. ID #539)

5 ***On June 17, 2024, CJ Wiese issued an Order Denying Mr. Phillips' Third Request to***
6 ***Disqualify Judge Henderson, for Reconsideration and for Change of Venue (Doc. ID***
7 ***#544)***

8 **September 11, 2024:**

9 Mr. Phillips' Motion to Transfer a Motion to the Chief Judge (Doc. ID #551)

10 **September 15, 2024:**

11 Mr. Phillips' Motion to Vacate Order as Void (Doc. ID #552)

12 ***On September 23, 2024, Judge Bill Henderson issued an order recusing itself (Doc. ID***
13 ***#558)***

14 **September 26, 2024:**

15 Mr. Phillips' Motion to Vacate the Chief Judge's Reverse and Remand Order
16 (Doc. ID #560)

17 ***On October 24, 2024, Judge Bill Henderson issued a substantially longer "Explanatory***
18 ***Judicial Recusal Order pursuant to NRS 1.230(3) (Doc. ID #565)***

19 **October 24, 2024:**

20 Mr. Phillips' Motion for Change of Venue (Doc. ID #566)

21 ***On November 5, 2024, a Notice of Department Reassignment was filed reassigning this***
22 ***case to Department X (Doc. ID #568)***

23 **December 10, 2024:**

24 Mr. Phillips' Motion for Opposition for Extension of Time to file Opposition
25 (Doc. ID #573)

26 **December 17, 2024:**

27 Mr. Phillips' Second Motion for Extension of Time to file Opposition (Doc. ID
28 #577)

December 24, 2024:

Mr. Phillips' Request for Disclosures from Sitting Judge [Heidi Almase] (Doc. ID
#580)

Other Matters Listed in Plaintiff's Response

Although the Court's Order to Show Cause *as amended* related solely to the above-
captioned case involving [REDACTED] in her Response, [REDACTED] provided a much broader list
of cases filed by Mr. Phillips. In referencing these cases, the Court gave Mr. Phillips an

1 opportunity to respond to the additional cases contained in [REDACTED] responsive pleading.

2 Based on the totality of evidence, testimony and filed documents before the Court, the
3 Court FINDS Mr. Phillips filed the following actions this Court deems to be (1) without an
4 arguable legal or factual basis, and (2) filed with the intent to harass his opponents and/or to
5 mislead and misuse the legal system:

6 **1. *T. Matthew Phillips v. Kimberly McCauley, Eighth Judicial District Court Case***
7 ***No. A-16-739443-C (“A739443”)***

8 On July 1, 2016, Mr. Phillips initiated Case A739443 by filing the Complaint. (Case
9 A739443, Doc. ID# 1). Mr. Phillips alleged the defendant, Ms. McCauley, defamed him by
10 stating in a post that she obtained a “restraining order” against him due to a “credible threat of
11 violence from stalking and harassment.” Mr. Phillips alleged a temporary restraining order, not a
12 “restraining order,” was entered against him and there was no credible threat of violence from
13 stalking or harassment, even though the California standard form temporary restraining order had
14 the box checked as being “based on . . . a credible threat of violence, or stalking.” The
15 defendant’s pre-answer motion to dismiss was granted (1) “[s]ince the statement was true [and]
16 cannot be the basis of a defamation action,” and (2) the court lacked personal jurisdiction over the
17 defendant. (Case A739443, Minutes (9/28/16), *see* second “view document” entry associated
18 with the docket entries dated 8/22/16)).

19 **2. *Todd Matthew Phillips v. [REDACTED] Phillips, Nevada Supreme Court, Case No. 77900***
20 ***(“77900”)***

21 This is Mr. Phillips’s appeal from Case T-18-191733-T, filed on January 16, 2019. The
22 appeal was dismissed due to his failure to pay the requisite filing fee. *See Phillips v. Phillips*, 135
23 Nev. 701, 2019 WL 625727 (Feb. 11, 2019) (unpublished disposition).

24 **3. *Todd Matthew Phillips v. [REDACTED] Phillips, et al., United States District Court,***
25 ***District of Nevada, Case No. 2:19-cv-00425-APG-BNW (“Case 2:19-cv-00425”)***

26 On March 12, 2019, Mr. Phillips filed a federal lawsuit against his ex-wife (Plaintiff
27 herein), Family Court Judge Linda Marquis, and Family Court Hearing Masters Jennifer Henry

28 ⁷ Doc. ID #589 at Ex.2 (Plaintiff’s Response)(filed January 21, 2025).

1 and Timothy Andrews. Mr. Phillips alleged his right to parent was violated in state court
2 proceedings. The case was dismissed and the court denied Mr. Phillips’s request to amend.
3 *Phillips v. Phillips*, 2020 WL 209309 (D. Nev. Jan. 14, 2020).

4 **4. *Todd Matthew Phillips v. XXXXX Phillips, Nevada Supreme Court, Case No. 78959***

5 Ms. Phillips [REDACTED] filed an action against Mr. Phillips seeking a temporary
6 protection order (TPO) against him based on allegations of domestic violence. The district court
7 granted the TPO and, on June 12, 2019, Mr. Phillips appealed. The Nevada Supreme Court
8 dismissed the appeal for lack of an appealable order. *See Philips v. Phillips*, 135 Nev. 701, 2019
9 WL 5295723 (Oct. 18, 2019) (unpublished disposition).

10 **5. *Todd Matthew Phillips v. Clark County Family Courts, Eighth Judicial District***
11 ***Court, Nevada Supreme Court, Case No. 79709 (Court of Appeals, Case No.***
12 ***79709-COA)***

13 On September 30, 2019, Mr. Phillips filed an original writ petition seeking to prohibit the
14 Family Court from enforcing an extended protection order and mandating a reinstatement of his
15 parental custody. This was a second appeal from the underlying T-18-191733-T case. The Court
16 of Appeals (assigned Case No. 79709-COA) did not deem the appeal sufficiently meritorious to
17 even require a response from the respondents. Mr. Philips’s writ petition was denied by the Court
18 of Appeals and the Supreme Court denied his request to review the Court of Appeals’ decision.
19 *See Phillips v. Eighth Jud. Dist. Ct.*, 135 Nev. 700, 2019 WL 5066909 (Nev. Ct. App. Oct. 8,
20 2019).

21 **6. *T. Matthew Phillips v. NutraNext, LLC, et al., Eighth Judicial District Court, Case***
22 ***No. A-20-808776-C (“Case No. A808776”).***

23 On January 17, 2020, Mr. Phillips sued seven entities who, he alleged, “advertise and sell
24 a dietary supplement called Natural Vitality Calm.” Mr. Phillips alleged that the product
25 contained “self-assembling ‘nanosensors,’ i.e., tiny ‘smart’ technology devices” which, Mr.
26 Phillips alleged, “upon contact with water, expand, turn red, congregate together, and then morph
27 into ‘nanosensores,’ which have the ability to send and receive EMF [electric and magnetic field]
28 signals.” (Case A808776, Doc. ID# 1 at para. 28). Mr. Phillips asserted various claims, including
for battery-unconsented touching and infliction of emotional distress.

1 The defendant filed a motion to dismiss. (Case No. A808776, Doc. ID# 13). In Mr.
2 Phillips’s opposition to the motion to dismiss, he admitted that his claims were based on “wild
3 speculations.” (Case No. A808776, Doc. ID# 15 at 3:10). The parties stipulated to dismiss the
4 action with prejudice. (*Id.* at Doc. ID# 25).

5 **7. *Phillips v. Ochoa, et al., United States District Court, District of Nevada, Case No.***
6 ***2:20-cv-00272-JAD-VCF (“Case No. 2:20-cv-272”)***

7 On February 7, 2020, Mr. Phillips filed suit alleging that his First Amendment right to free
8 speech was violated when Family Court Judge Vincent Ochoa deleted comments Mr. Phillips
9 posted on the Judge’s re-election campaign Facebook page and blocked Mr. Phillips from
10 accessing that page. The case was dismissed without leave to amend. In dismissing the action,
11 the federal district court noted that (1) defendants had argued, *inter alia*, that Mr. Phillips brought
12 the action in bad faith, (2) Mr. Phillips failed to respond to that argument, and (3) “I could also
13 deny his motion for leave to amend on this uncontested ground.” (Case No. 2:20-cv-272, Doc.
14 No. 77 at footnote 38).

15 **8. *T. Matthew Phillips v. Smith’s Food & Drug Centers, Inc., et al., Eighth Judicial***
16 ***District Court Case No. A-20-825730-C***

17 On December 2, 2020, Mr. Phillips sued the grocery store he frequented during the
18 pandemic because “on each visit, Plaintiff was confronted by Smith’s employees who
19 aggressively insisted that he wear a facemask.” (Case A825730, Doc. ID# 1 at para. 7). Mr.
20 Phillips alleged he was exempt from face masking requirements but the Smith’s employees
21 “ejected Plaintiff and called (or threatened to call) 911—to extort Plaintiff into facemask
22 compliance.” (*Id.*). Mr. Phillips also alleged that, because Smith’s enlisted the assistance of local
23 police, such “means the businesses have enlisted the police as ‘thugs for capitalism.’” (*Id.* at
24 para. 30). Defendants filed a motion to dismiss. (*Id.* at Doc. ID# 5). Mr. Phillips did not file an
25 opposition to the motion to dismiss. A few days before the hearing scheduled on Defendants’
26 motion to dismiss, which was long after Mr. Phillips’s opposition brief was due by rule, the
27 parties stipulated to dismiss the action with prejudice. (*Id.* at Doc. ID# 9).

28 //

1
2 **9. *T. Matthew Phillips v. Bryce Duckworth, Stephen Grierson, Robin Sweet, and***
3 ***Administrative Office of the Courts, United States District Court, District of***
4 ***Nevada, Case No. 2:20-cv-02345-RFB-NJK (Case No. “2:20-cv-2345”) and***
5 ***related appeal in the Ninth Circuit Court of Appeals, Case No. 21-17025***
6 ***(“Appeal 21-17025”)***

7 On December 29, 2020, Mr. Phillips sued the Eighth Judicial District Court Presiding
8 Family Court Judge (Bryce Duckworth), the Eighth Judicial District Court Clerk (Stephen
9 Grierson), the Nevada Director and State Court Administrator (Robin Sweet), and the
10 “Administrative Office of the Courts.” (Case No. 2:20-cv-2345, Doc. No. 1). In his complaint,
11 Mr. Phillips described this court as “a ruthless syndicate of family court judges and lawyers . . .
12 who have an unspoken agreement . . . to extract ever more wealth from family court litigants,”
13 (*id.* at 4:2-5), and that “[t]he family court cabal operates on a simple and straightforward business
14 model: ‘*Kidnap a child—and desperate parents will spend their last dime.*’” (*id.* at 4:10-11,
15 emphasis in original).

16 Defendants filed a motion to dismiss. On November 29, 2021, the district court entered
17 its order granting the motion to dismiss and instructing the clerk to close the case and dismiss it
18 without prejudice if Mr. Phillips failed to file a motion for reconsideration within two weeks.
19 (Case No. 2:20-cv-2345, Doc. No. 36). However, rather than file a motion for reconsideration, on
20 December 2, 2021, Mr. Phillips filed a motion to disqualify the judge and accused the judge of
21 Rule 11 violations. (*Id.* at Doc. No. 37 at 3:20-24; repeated in Doc. No. 44 at 5:15-19). Mr.
22 Phillips additionally argued the judge’s decision to grant the motion to dismiss against Mr.
23 Phillips created an “appearance of shadiness,” an “appearance of underhandedness,” and an
24 “appearance of laziness.” (*Id.* at 4:16-23). The motion to disqualify was denied by the
25 magistrate judge, without a hearing, on the basis that the “motion is premised entirely on [Mr.
26 Phillips’s] disagreement with an order that the undersigned issued.” (*Id.* at Doc. No. 45 at 2:5-6).
27 The court noted that it “is well-settled that ‘a judge’s prior adverse ruling is not sufficient cause
28 for recusal.’” (*Id.* at 2:7-8, quoting *United States v. Studley*, 783 F.2d 934, 939 (9th Cir. 1986);
see also Doc. No. 50 (denial by the judge of Mr. Phillips’s motion to disqualify)).

On December 3, 2021, Mr. Phillips appealed the dismissal order to the Ninth Circuit Court

1 of Appeals, which was assigned Appeal No. 21-17025. The appeal was dismissed for failure to
2 prosecute. (Appeal 21-17025, Doc. No. 3).

3 **10. Todd Matthew Phillips [REDACTED] XX, Nevada Supreme**
4 **Court, Case No. 82414, (b) Todd Matthew Phillips v. [REDACTED]**
5 **[REDACTED], Nevada Supreme Court, Case No. 82693, and (c) Phillips v. Phillips,**
6 **United States Supreme Court, Case No. 22-5622**

7 In these three (3) related appeals, Mr. Phillips appealed this Court’s child custody order
8 and award of attorney fees. On April 29, 2022, the Nevada Supreme Court affirmed the child
9 custody orders and award of attorney’s fees. *See Phillips v. Phillips*, 508 P.3d 885 (Table), 2022
10 WL 13021184 (April 29, 2022) (unpublished disposition). Notably, the Court affirmed without
11 oral argument in either appeal and without the respondent (Plaintiff here) filing any response in
12 Case 82693. (*Id.* at n.1). The Court denied Mr. Phillips’s request for rehearing, which caused
13 him to file a writ of certiorari with the United States Supreme Court. The United States Supreme
14 Court denied cert on November 21, 2022.

15 **11. T. Matthew Phillips v. Jennifer V. Abrams, et al., Eighth Judicial District Court**
16 **Case No. A-21-829038-C (Case No. “A829038”)**

17 On February 7, 2021, Mr. Phillips sued attorney Jennifer Abrams, her law firm, and two
18 law firm paralegals, for libel. The complaint allegeD the defendants “falsely declare that [Mr.
19 Phillips] threatened to shoot-up his son’s school and blow-up his son’s school.” (Case A829038,
20 Doc. ID# 1 at para 9, and Doc. ID# 49 at para. 9). Mr. Phillips’s complaint boasts three lawsuits
21 he filed against five family court judges and describes himself as “an enemy of the ‘family court
22 system.’” (Doc. ID# 1 at para. 51, referencing federal case numbers 2:19-cv-00425-APG-BNW,
23 2:20-civ-00272-JAD-VCF, and 2:20-cv-02345-RFP-NJK). This case is ongoing and therefore
24 not considered for purposes of determining whether Mr. Phillips is a vexatious litigant, except to
25 the extent of Mr. Phillips’s own boastings about lawsuits he filed against five judges.

26 **12. T. Matthew Phillips, et al. v. Suzy Truby, et al., United States District Court,**
27 **District of Nevada, Case No. 2:21-cv-00358-KJD-EJY (Case No. “2:21-cv-358”)**

28 On March 2, 2021, Mr. Phillips commenced suit in federal court to challenge the
suspension of his driver’s license and orders garnishing his earnings for failing to pay child
support. He argued this court’s child support orders were invalid. (Case 2:21-cv-358, Doc. No.

1 34). On March 25, 2022, the court granted defendants’ motion to dismiss under the *Rooker-*
2 *Feldman* doctrine. (*Id.*).

3 **13. *Phillips, et al. v. Ochoa, et al., United States District Court, District of Nevada,***
4 **Case No. 2:21-cv-00483-APG-NJK (Case No. “2:21-cv-483”) and related appeal**
5 **to the Ninth Circuit Court of Appeals, Case No. 21-71158 (“ Appeal 21-71158”)**

6 On March 24, 2021, Mr. Phillips (and a co-plaintiff) sued Family Court Judges Vincent
7 Ochoa and Matthew Harter as well as Nevada Attorney General Aaron Ford. Mr. Phillips
8 challenged this court’s rulings related to his divorce and child custody. Mr. Phillips claimed the
9 judges violated his constitutional rights to familial association, among other claims, and requested
10 the Nevada Attorney General be prevented from enforcing child custody laws. Mr. Phillips
11 asserted several false allegations, including that “Defendant judges kidnapped Plaintiff’s son[,]”
(Case 2:21-cv-483, Doc. No. 1 at 10:4), and “Defendant judges kidnap children,” (*id.* at 15:11).

12 Notably, the court revoked Mr. Phillips’s permission to file electronically. (Case 2:21-cv-
13 483, Doc. No. 14). Mr. Phillips was required to complete a CM/ECF tutorial and other training,
14 but failed to do so. (*Id.*). Indeed, despite the court allowing Mr. Phillips additional time to
15 complete the training and submit the necessary registration forms, he failed to do so. (*Id.*).

16 Defendants filed a motion to dismiss, which was summarily granted on June 15, 2021, in
17 an order less than two pages long, excluding the caption. (Case No. 2:21-cv-483, Doc. No. 43).
18 Mr. Phillips sought writ relief from the Ninth Circuit Court of Appeals, which sought, *inter alia*,
19 reassignment of his state Family Court case “to a different judge who is not corrupted.” (Appeal
20 21-71158, Doc. No. 2 at 6:21). A mere 10 days later, the writ petition was denied in a one-page
21 decision, including the caption. (Appeal 21-71158, Doc. No. 3).

22 **14. *T. Matthew Phillips (and Ali Shahrokhi) v. Mathew Harter, United States District***
23 **Court, District of Nevada, Case No. 2:21-cv-00557-APG-BNW (Case No. “2:21-**
24 **cv-557”) and related appeal to the Ninth Circuit Court of Appeals (“Appeal 22-**
25 **15276”)**

26 On April 5, 2021, Mr. Phillips (and Mr. Shahrokhi) filed suit against Family Court Judge
27 Mathew Harter. Mr. Phillips sought “a court order immediately removing HARTER from the
28 [state court] bench [sic].” (Case No. 2:21-cv-557, Doc. No. 1 at 9:17-18). The Complaint
acknowledges that plaintiffs filed a complaint against Judge Harter with the Nevada Commission

1 on Judicial Discipline (“NCJD” or “Commission”) and that “the Commission denied the
2 complaint . . . [b]ut the Commission erred.” (*Id.* at 3:13-16). The defendant judge filed a motion
3 to dismiss, which was granted by the federal district court. (Case No. 2:21-cv-557, Doc. No. 24).
4 In granting the motion to dismiss, the federal court’s one-page order, excluding caption, noted
5 that (1) the previous NCJD complaint Mr. Phillips filed against Judge Harter had been denied by
6 the NCJD, and (2) Mr. Phillips lacked standing because he had no case pending before Judge
7 Harter. (*Id.*).

8 Mr. Phillips appealed the dismissal order to the Ninth Circuit Court of Appeals, which
9 was assigned Case No. 22-15276. However, in a three-sentence order, Mr. Phillips’s appeal was
10 dismissed “for failure to prosecute” and because he otherwise “failed to respond to the February
11 25, 2022 order of this court.” (*See* Case No. 2:21-cv-557, Doc. No. 29).

12 **15. Todd Matthew Phillips [REDACTED] XXX, Supreme Court of**
13 **the State of Nevada, Case No. 82724**

14 On April 6, 2021, Mr. Phillips appealed an order denying his motion for a new trial. The
15 appeal was dismissed because Mr. Phillips failed to pay the requisite filing fee and otherwise
16 failed to respond to the Nevada Supreme Court’s order to pay the fee or file a motion to proceed
17 in forma pauperis. *Phillips v. Phillips*, 137 Nev. 951 (Table), 2021 WL 2328496 (June 4, 2021)
18 (unpublished disposition).

19 **16. T. Matthew Phillips v. Vincent Ochoa, et al., United States District Court, District**
20 **of Nevada, Case No. 2:21-cv-01127-GMN-DJA (Case No. “2:21-cv-1127”) and**
21 **related appeal to the Ninth Circuit Court of Appeals, Case No. 22-16701**
22 **(“Appeal 22-16701”)**

23 On June 14, 2021, Mr. Phillips sued Family Court Judge Vincent Ochoa, attorney
24 Shannon Wilson, counsel then opposing Mr. Phillips in this case, Ms. Wilson’s law firm
25 (Hutchison Steffen), and Mr. Phillips’s ex-wife [REDACTED], who was Ms. Wilson’s client
26 and is the Plaintiff herein). (Case No. 2:21-cv-1127, Doc. No. 1-1). Mr. Phillips alleged that,
27 *inter alia*, tJudge Ochoa, Ms. Wilson, her firm, and her client conspired to deprive Mr. Phillips of
28 his due process rights. (*Id.* at para. 12). Mr. Phillips further alleged Judge Ochoa ordered his ex-
wife “to concoct facts against Phillips,” (*id.* at para. 44), and that the judge “conspired with [Ms.
Wilson and her firm] to obtain an illegal TPO against PHILLIPS, and to violate PHILLIPS’

1 federally protected civil rights,” (*id.* at para. 49). The private parties (Ms. Wilson, Hutchison &
2 Steffen, and ██████████) filed a motion to dismiss. (Case No. 2:21-cv-1127, Doc. No. 9). While
3 that motion was pending, Mr. Phillips filed a motion to disqualify Hutchison Steffen from
4 representing ██████████ (*id.*, Doc. No. 17), which motion was denied, (*Id.*, Doc. 25). While the
5 private parties’ motion to dismiss was pending, the court ordered the case closed because Mr.
6 Phillips failed to pay the filing fee. (*Id.*, Doc. No. 27). Mr. Phillips appealed.

7 On appeal, the Ninth Circuit issued an Order stating that a “review of the record reflects
8 that this appeal may be frivolous. This court may dismiss a case at any time, if the court
9 determines the case is frivolous.” (Appeal 22-16701, Docket No. 4-1). Mr. Phillips was required
10 to either file a motion to dismiss his appeal or file a statement explaining why the appeal was not
11 frivolous. (*Id.*) Rather than address the meritoriousness of his appeal, Mr. Phillips filed a motion
12 to dismiss his appeal, (Docket No. 5), which was granted, (Docket No. 6).

13 ***17. T. Matthew Phillips v. Jessica Caruss, 56th Circuit Court-Charlotte, Eaton County,***
14 ***Michigan, Case No. 2021-000820-NZ (and related appeal therefrom—i.e., Court***
15 ***of Appeals, State of Michigan, Docket No. COA-360338 (“COA-360338”))***

16 On August 17, 2021, Mr. Phillips sued Jessica Caruss alleging she defamed him through
17 online posts. On November 5, 2021, the Court issued its order that, *inter alia*, struck Mr.
18 Phillips’s opposition to a pending motion for protective order and warned that “any future
19 impertinent language shall be stricken from the pleadings.” The transcript from this hearing (at
20 page 11) reveals that Mr. Phillips referred to the defendant as “a whacko-hypochondriac.” He
21 was also warned (on page 12 of the transcript) against “filing things that are impertinent,
22 superfluous, not helpful, and very much not professional.” The order also required Mr. Phillips to
23 post a \$5,000 security bond within 30 days and warned failure to post the bond would result in his
24 case being dismissed. Mr. Phillips failed to post the bond and the case was dismissed.

25 Mr. Phillips appealed but, on October 17, 2022, the lower court’s decision was affirmed
26 with a single sentence: “The motion to affirm pursuant to [Michigan law] is GRANTED for the
27 reason that the question to be reviewed is so unsubstantial as to need no argument or formal
28 submission.” (COA-360388, Docket No. 39, *see also* Doc. ID# 589 (in this case) at Ex. 14 at
IRO 9).

1 **18. T. Matthew Phillips v. B&W Vape Ltd., et al., Eighth Judicial District Court, Case**
2 **No. A-21-845086-C (Case No. “A845086”)**

3 On December 7, 2021, Mr. Phillips sued a vape store and its managing member. He
4 alleged that he visited the store and “the lone employee asked Plaintiff to wear a facemask.”
5 (Case No. A845086, Doc. ID# 1 at 3:25-26). Two months later, Mr. Phillips filed a request
6 asking the court clerk to “dismiss the entire action with prejudice.” (Id., Doc. ID# 3, emphasis in
7 original omitted). The record does not reflect anyone was served. It is unclear why Mr. Phillips,
8 then an attorney of almost 30 years, did not voluntarily dismiss the action pursuant to NRCPC
9 41(a)(1)(A)(i). Instead, the matter stayed of record for eight more months until the Court issued
10 its order construing Mr. Phillips’s request as a notice of voluntary dismissal with prejudice and
11 closed the case. (Case A845085, Doc. ID# 4).

12 **19. Ali Shahrokhi and Todd Matthew Phillips v. Aaron D. Ford, Nevada Attorney**
13 **General; et al., Nevada Supreme Court, Case No. 83973 (Case No. “83973”)**

14 On December 23, 2021, Mr. Phillips (and Mr. Shahrokhi) filed an original petition for a
15 writ of mandamus seeking an order that the Attorney General be disqualified from representing
16 Family Court Judge Mathew Harter in a federal civil lawsuit brought by Mr. Phillips (and Mr.
17 Shahrokhi) against Judge Harter. Less than two months later, the Nevada Supreme Court issued
18 its one-paragraph order denying the writ petition. *See Shahrokhi v. Ford*, 503 P.3d 1128 (Table),
19 2022 WL 510040 (Nev. S. Ct. Feb. 18, 2022). The Court did not deem it necessary to order a
20 response from the respondent or real party in interest before summarily denying the writ petition.

21 **20. T. Matthew Phillips v. Casa Don Juan, LLC, et al., Eighth Judicial District Court**
22 **Case No. A-22-849331-C (Case No. “A849331”)**

23 On March 8, 2022, Mr. Phillips filed suit against the Casa Don Juan restaurant, its general
24 manager, and shift manager. (Case A849331, Doc ID# 1). Mr. Phillips alleged that he and a
25 guest visited the restaurant (in Jan. 2022) and were asked to wear a facemask. (*Id.* at para. 14).
26 Mr. Phillips declined and instead offered a “makeshift” alternative by covering his nose and
27 mouth with his jacket, which the greeter declined. (*Id.* at para. 17). Mr. Phillips spoke with the
28 manager who explained that the restaurant would be fined by OSHA unless patrons wore a mask.
 (*Id.* at para. 18). A compromise was reached where Mr. Phillips and guest were allowed to dine

1 at an outdoor table. (*Id.* at para. 20). “After a few minutes of reflection,” Mr. Phillips left
2 because he feared the restaurant employees “would spit in the food” even though, as he admits in
3 his complaint, “[n]o employees threatened to do this.” (*Id.* at para. 21). Mr. Phillips filed suit
4 alleging discrimination and sought, *inter alia*, punitive damages. Without an appearance from
5 any defendant, Mr. Phillips filed a request for dismissal of his lawsuit with prejudice. (Case No.
6 A849331, Doc. ID# 4). It is again unclear why Mr. Phillips did not file a notice of voluntarily
7 dismissal pursuant to NRCP 41(a)(1)(A)(i). Instead, his actions forced the assigned judge to
8 prepare a formal order dismissing the action with prejudice. (Case A849331, Doc. ID# 5).

9 **21. *T. Matthew Phillips (and Mr. Shahrokhi) v. Honorable Rebecca Burton, et al.,***
10 **Nevada Supreme Court, Case No. 84411 (Case No. “84411”).**

11 On March 21, 2022, Mr. Phillips and Mr. Shahrokhi (“Petitioners”) filed an original writ
12 petition seeking to prohibit Family Court Judges Burton, Hoskin, Throne, Ochoa, and Harter,
13 Hearing Master Norheim, the Nevada Attorney General, and the Clark County District Attorney,
14 from enforcing family court custodial orders that Petitioners asserted were void because they
15 resulted from the family court’s determination that Petitioners committed domestic violence. *See*
16 Case No. 84411, Docket Entries, and *Phillips v. Burton*, 507 P.3d 194 (Table), 2022 WL 1047945
17 (Nev. S. Ct. Apr. 6, 2022) (unpublished disposition). A mere 16 days later, the Nevada Supreme
18 Court, without requiring a response from the respondents or real parties in interest, denied the
19 writ petition. (*Id.*)

20 **22. *T. Matthew Phillips v. Shannon R. Wilson, Eighth Judicial District Court, Case***
21 **No. A-22-851472-C (Case No. “A851472”)**

22 On April 21, 2022, Mr. Phillips sued his opposing counsel in this case (D-18-XXXXXX-D)
23 who was then representing his ex-wife (Plaintiff here). (Case No. A851472, Doc ID# 1). He
24 alleged fraud on the court and attempted fraud on the court for arguments and statements counsel
25 (Shannon Wilson) made in court in this case. (*Id.*). Mr. Phillips obstinately insisted he had
26 perfected service on Ms. Wilson when he had not (he added Ms. Wilson to the e-service list and
27 purported to serve her through the e-service list). Despite ten (10) offers from Ms. Wilson and
28 her counsel to accept service of process, Mr. Phillips recalcitrantly declined. When the 120 days
for service contemplated by NRCP 4(e) expired, Ms. Wilson filed a motion to dismiss, (Doc ID#

1 3), which was granted (Doc ID# 15).

2 **23. *T. Matthew Phillips v. Vincent Ochoa, et al., United States District Court, District***
3 ***of Nevada, Case No. 2:22-cv-02086-RFB-BNW (Case No. “2:22-cv-2086”) (and***
4 ***related appeal therefrom, Ninth Circuit Court of Appeals, Case No. 23-3253***
5 ***(“Appeal 23-3253”)***

6 On December 16, 2022, Mr. Phillips sued Judge Ochoa, District Attorney Wolfson,
7 Family Court Hearing Master Norheim, Deputy District Attorney Gerard Costantian, [REDACTED]
8 [REDACTED] (Plaintiff herein), Clark County, and the Eighth Judicial District Court. (Case No. 2:22-
9 cv-2086, Doc. No. 1). Mr. Phillips alleged numerous constitutional violations some of which
10 stemmed from the government’s efforts to enforce child support obligations owed by Mr. Phillips.
11 All defendants moved to dismiss the action. (*Id.*, Doc. Nos. 7, 8, and 12). While the motions to
12 dismiss were pending, Mr. Phillips moved (on September 26, 2023) to disqualify the sitting
13 federal judge (Judge Richard Boulware II) “based on His Honor’s *pro bono* work with the . . .
14 *Legal Aid Center of Southern Nevada*” and also because “[i]n 2019, LACSN granted His Honor
15 an award” (*Id.*, Doc. No. 29 at 3:3-7). Indeed, Mr. Phillips also based his motion to
16 disqualify Judge Boulware because he found a picture of Judge Boulware posing with former
17 Nevada Supreme Court Justice Nancy Becker, who presented the 2019 Justice Nancy Becker Pro
18 Bono Award of Judicial Excellence to Judge Boulware. (*Id.*, Doc. No. 29 at 3:24-4:28 and Ex. 1).
19 Two days later, on September 28, 2023, Judge Boulware granted all motions to dismiss with
20 prejudice (the record does not reflect a ruling on Mr. Phillips’s motion to disqualify the judge).
21 (*Id.*, Doc. No. 30). In granting dismissal, the court noted that Mr. Phillips “raised the very
22 concerns he raises in this complaint on his direct appeal.⁸ His argument was considered by
23 [Nevada’s appellate courts]. The Nevada Supreme Court considered [Mr. Phillips’s] arguments
24 and affirmed Judge Ochoa’s order. . . . The United States Supreme Court considered [Mr.
25 Phillips’s] petition for writ of certiorari, in which he raised the same questions, and denied his
26 petition. That was [Mr. Phillips’s] final appeal.” (*Id.*, Doc. No. 30 at 7:26-8:6).

27 This Court finds it very troubling Mr. Phillips repeatedly misrepresented in his complaint,
28 which he verified under penalty of perjury (Doc. No. 1 at page 39), that the Family Court (Judge

⁸ See *Phillips v. Phillips*, 508 P.3d 885 (Table), 2022 WL 1302184 (Nev. S. Ct. April 29, 2022).

1 Ochoa) terminated his parental rights. (*See e.g., id.* at 6:6, 6:27, 7:5, 7:9, 9:15-16, 10:23). Yet,
2 the Nevada Supreme Court ruled in *Phillips v. Phillips*, 508 P.3d 885 (Table), 2022 WL 1302184,
3 *3 n.8 (Nev. S. Ct. April 29, 2022) that “Todd’s parental rights have not been terminated.” In
4 other words, more than eight (8) months *after* the Nevada Supreme Court expressly declared Mr.
5 Phillips’s parental rights were *not* terminated, he persistently misrepresented under penalty of
6 perjury that his parental rights had been terminated. The Court notes Mr. Phillips’s
7 misrepresentations in this regard have continued in this case well after the Nevada Supreme Court
8 declared otherwise on April 29, 2022.

9 Of particular note is Mr. Phillips’s misrepresentation in his Case No. 2:22-cv-2086
10 complaint that “[t]oday Plaintiff has no parental rights” and attributes such to Judge Ochoa. (*Id.*
11 Doc. No. 1 at 7:9). However, as Judge Bill Henderson recently ruled in this case (D-18-578142-
12 D):

13 As to visitation rights, those were initially established . . . back when the child
14 was about 12. [Mr. Phillips], rather than exercising those rights and working
15 toward more of a shared custodial arrangement, was seemingly so enraged and
16 filled with venom at [his ex-wife ██████████] and then by extension at all
17 those in the Court system having any involvement in the case, that he refused to
18 visit or have any relationship with his son, and commenced a crusade, lasting to
19 the present time, of hammering ██████████ as well as all judges and
20 attorneys involved, with a plethora of vile name-calling documents, and
21 laughably ludicrous allegations of criminal conspiracies. These non-stop
22 personal and professional attacks have taken the form of an endless stream of
23 law suits, motions to disqualify, reports to various agencies, etc. . . . [A]s
24 mentioned, although the Court has strongly urged [Mr. Phillips] to concentrate
25 on his relationship with his son and start taking some initial steps to mend the
26 relationship, [Mr. Phillips] has of course ignored all that advice and urging, and
27 has instead seemingly devoted most of every waking hour to attacking and de-
28 humanizing others for his failure to pursue a relationship with his son—which is
his responsibility to pursue, and no one else’s. . . .

[Mr. Phillips] makes clear that the goal is he is right about everything, and that
everyone else is wrong, and that all involved must be annihilated for denying
him his due process and constitutional rights, even though for much of the case
the only impediment to [Mr. Phillips] visiting his son was [Mr. Phillips], as he
would much rather feed his addiction and obsession with filing endless streams
of name-calling, vile, dehumanizing nonsense. . . .

[Mr. Phillips] wishes to blame and punish his ex-wife, and by extension
seemingly the entire Nevada legal system, because he never pursued a
relationship with his son, and instead devoted his life and career to non-stop
absurd litigation.

(Case D-18-██████████-D, Doc. ID# 546 (7/17/24) at 3:22-4:24, 11:1-3).

1 This Court did not terminate Mr. Phillips’s parental rights and his repeated
2 representations to the contrary in Case No. 2:22-cv-2086 and in this case were knowing
3 misrepresentations intended to further his vexatious, harassing, and frivolous purposes, including
4 to inflict as much emotional pain and suffering as possible on his ex-wife and the judiciary who
5 he perceived offended him in some manner.

6 Further troubling and relevant to a resolution of the present OSC is that Case No. 2:22-
7 cv-2086 was filed one month after Mr. Phillips appeared for a hearing before Hearing Master
8 Norheim in the R-case (R-20-XXXXXX-R). The purposes of that hearing were to (1) determine
9 whether to enjoin the District Attorney’s Office from suspending Mr. Phillips’s driver’s license,
10 and (2) adjudicate arrearages owed by Mr. Phillips. To delay and frustrate the proceedings, Mr.
11 Phillips proclaimed himself adversarial with the Hearing Master, declared his “express intent to
12 file a lawsuit against Your Honor,” and suggested the Hearing Master could not make any
13 rulings. (See Case No. R-20-XXXXXX-R, Video Record (11/17/22) at 3:11:06-3:11:35 p.m.). Mr.
14 Phillips then boasted that “I have sued more than 11 judges. I hold the record in the State of
15 Nevada. When I say I’m going to sue somebody, I always sue them.” (*Id.* at 3:12:50-3:13:39
16 p.m.). Mr. Phillips then recited several lawsuits he had already filed and other lawsuit he
17 intended to file in the near future and then vexatiously declared to Hearing Master Norheim: “I
18 have no problem suing jurists.” (*Id.*). Hearing Master Norheim indicated he would recuse
19 himself and Mr. Phillips asked to say one more thing: “I hope Your Honor will consider it in your
20 recusal order [that] . . . I already sued you once . . . so we are already adversarial.” (*Id.* at
21 1:16:50-1:17:22). Mr. Phillips’s statements evidence vexatious and harassing conduct intended
22 to thwart and delay the administration of justice. As noted above, Mr. Phillips made good on his
23 threat to sue Hearing Master Norheim one month later.

24 Returning to the history of Case No. 2:22-cv-2086, Mr. Phillips appealed the court’s
25 dismissal of his case against Judge Ochoa, Hearing Master Norheim, and others. However, Mr.
26 Phillips failed to pay the filing and docketing fees and was warned his case would be dismissed
27 if the fees were not paid. (Case No. 23-3253, Docket No. 6). Mr. Phillips requested his appeal
28 be dismissed, (*id.*, Docket No. 7.1), and the appeal was dismissed on January 9, 2024, (*id.*,

1 Docket No. 8).

2 **24. *Todd Matthew Phillips v. Eighth Judicial District Court and the Honorable Timothy***
3 ***C. Williams, District Judge, Nevada Supreme Court Case No. 85856***

4 On December 21, 2022, Mr. Phillips commenced an original writ petition challenging
5 Judge Timothy Williams’s recusal in the underlying case of *Phillips v. Abrams, et al.*, Eighth
6 Judicial District Court, Case No. A-21-829038-C. (*See* Lawsuit # 11, *supra*). A mere 15 days
7 later, on January 5, 2023, and without requiring a response from the respondent or the real parties
8 in interest, the Nevada Supreme Court denied Mr. Phillips’s writ petition for various reasons,
9 including “the substantial amount of time that has elapsed since the challenged recusal” and Mr.
10 Phillips’s “failure to provide an explanation for his delay in seeking writ relief.” *Phillips v.*
11 *Abrams*, 523 P.3d 535 (Table), 2023 WL 1438757, *1 (Nev. S. Ct. Jan. 5, 2023).

12 **25. *Phillips v. Judge Henderson, et al., United Staes District Court District of Nevada,***
13 ***Case No. 2:24-cv-00594-DJA (Case No. “2:24-cv-594”)***

14 On March 27, 2024,⁹ Mr. Phillips sued Family Court Judge Bill Henderson, his judicial
15 executive assistant (Nancy Diaz), his law clerk (Holly Knief), and the Eighth Judicial District
16 Court. (Case No. 2:24-cv-594, Doc. Nos. 3 and 9). Mr. Phillips alleged his constitutional rights
17 to due process and privacy were violated when a media request was signed by Judge Henderson
18 in this case (D-18-XXXXXX-D), and, further, that Judge Henderson’s law clerk and judicial
19 executive assistant violated his due process rights by not providing notice Judge Henderson had
20 signed the media order. The defendants moved to dismiss the action, (Case No. 2:24-cv-594,
21 Doc. No. 10), which was granted, (*id.*, Doc. No. 21, *Phillips v. Henderson*, 2024 WL 4267821 (D.
22 Nev. Sept. 22, 2024)). The court ruled, *inter alia*, Mr. Phillips’s claims against Judge Henderson
23 were barred by judicial immunity and that Mr. Phillips otherwise failed to state a claim upon
24 which relief could be granted. (*Id.*). The action was dismissed with prejudice. (*Id.*).

25 //

26 //

27 ⁹ On note, the parties’ minor child, XXXXXX Phillips, emancipated on November 8 2023
28 (date of birth November 8, 2005), causing this Court to lose child custody jurisdiction over him.

1 **26. *Phillips v. Judge Henderson, United States District Court District of Nevada, Case***
2 ***No. 2:24-cv-00859-JAD-BNW (Case No. “2:24-cv-859”)***

3 On May 7, 2024, Mr. Phillips sued Family Court Judge Bill Henderson again. Mr.
4 Phillips alleged that his Fourteenth Amendment right to a fair trial was violated because Judge
5 Henderson, while presiding over this case, failed to disclose on the record he made a donation to
6 the Legal Aid Center of Southern Nevada, which he alleged supplied free legal services to Mr.
7 Phillips’s ex-wife herein. (Case No. 2:24-cv-859, Doc. No. 1). Judge Henderson filed a motion
8 to dismiss, (*id.*, Doc. No. 7), which was granted with prejudice, (*id.*, Doc. No. 17, *Phillips v.*
9 *Henderson*, 2024 WL 4104190 (D. Nev. Sept. 6, 2024)). Relevantly, the court dismissed Mr.
10 Phillips’s lawsuit finding it, like the prior action against Judge Henderson, was barred by judicial
11 immunity and otherwise failed to state a claim upon which relief could be granted. (*Id.*).

12 **27. *T. Matthew Phillips v. Joshua Booth, et al., Eighth Judicial District Court Case***
13 ***No. A-24-899003-C (Case No. “A899003”)***

14 On August 2, 2024, Mr. Phillips sued multiple medical service providers. Mr. Phillips
15 alleged he entered an urgent care facility in August 2022 and was given a facemask but was not
16 asked to wear it or warned that failure to wear the facemask would result in a denial of services.
17 Mr. Phillips did not wear the facemask and was asked to leave the premises. Mr. Phillips asked to
18 speak with someone in charge because he “was anxious to address his pressing medical
19 condition.” (Case No. A899003, Doc. ID# 1 at para. 23). Mr. Phillips advised the staff “he is an
20 attorney and knows his rights.” (*Id.*) The staff member threatened to call the police if Mr.
21 Phillips did not leave immediately. (*Id.*) Mr. Phillips later spoke with other facility
22 representatives, but they “validated the facemasking policy” of the private facility. (*Id.* at para.
23 26). Mr. Phillips filed suit for discrimination, naming the facility, the facility receptionist, a
24 facility nurse, and the two representatives he spoke with who “validated the facemasking policy.”
25 As of January 20, 2025, the docket in Case No. A899003 does not bear any evidence Mr. Phillips
26 served the defendants. As of January 20, 2025, the case has been pending for 171 days. The
27 case is therefore subject to dismissal pursuant to NRCP 4(e)(2) (“the court must dismiss the
28 action” if summons and complaint not served within 120-days after complaint is filed).

//

1 **Mr. Phillips’s Vexatious, Harassing, and Mean-Spirited Communications with Opposing**
2 **Counsel, Judges, and Staff**

3 The *Jordan* Court found that “repeated attacks on opposing counsel and the district judge
4 demonstrate a pattern of intent to harass the defendants and the court.” *Jordan*, 121 Nev. at 65,
5 110 P.3d at 46. These attacks frequently come in the form of actual or threatened lawsuits—“[f]or
6 some people, the knee-jerk reaction to conflict is to threaten a lawsuit.”¹⁰

7 Mr. Phillips’s numerous harassing communications directed to his opposing counsel
8 demonstrate a mean, relentless, and obsessive spirit, including the following communications
9 with opposing counsel Shannon Wilson, Dan Waite, and Ina O’Briant, demonstrating an intent to
10 harass, annoy, delay, and needlessly increase the cost of litigation:¹¹

11 ***Mr. Phillips’s harassing communications directed to attorney Shannon Wilson***

12 In an April 16, 2019, email to attorney Wilson, Mr. Phillips wrote, “Dealing with you and
13 your client is impossible. Which explains why this litigation—and the soon-to-be-filed ‘spin off’
14 litigations—will likely last 3 or 4 years. You will never give a straight answer. You are hard-
15 wired to be deceptive. You should be a lawyer!! Oh, wait...”¹²

16 On March 27, 2019, Mr. Phillips wrote in an email to attorney Wilson, “Expect a flurry of
17 litigation. And you’ll not be paid a thin dime for any of your work. #Guaranteed.”¹³

18 ¹⁰ R. Johnson, *How to Deal With Litigious People and Frivolous Lawsuits*, Psychology
19 Today (July 19, 2014), available at <https://www.psychologytoday.com/us/blog/so-sue-me/201407/how-to-deal-with-litigious-people-and-frivolous-lawsuits>.

20 ¹¹ In focusing on Mr. Phillips’s vexatious communications with the Court and his various
21 opposing counsel, the Court does not overlook the all-too-frequent harassing and frivolous
22 arguments directed at his ex-wife ██████████. For example, Mr. Phillips treated a very serious
23 restraining order with frivolity and made arguments intended to vex and annoy his ex-wife:

24 ██████████ fears that, if the restraining order ends, Respondent [Mr. Phillips]
25 will text her a thousand times a day. Okay, and if he does, so what? Call 911!

26 . . . If Respondent shows-up at ██████████ house, then she can call 911. If
27 Respondent makes death threats, then she can call 911. And, if Respondent
28 protests on the sidewalk outside of ██████████ workplace—holding
handmade signs adorned with glittery paint—then she can call 911 or even the
Coast Guard!

(Doc. ID# 143 at 13:2-8).

¹² Doc. ID# 350 (filed March 14, 2022) at Exhibit 3 at PLTF000854.

¹³ *Id.* at Exhibit 4 at PLTF000737.

1 On August 25, 2021, Mr. Phillips wrote in an email to attorney Wilson, “I have a new
2 lawsuit for you. Will you accept service of process? Or maybe we should make this as expensive
3 as possible. You’re [sic] already lost \$179,000 in attorney’s fees. How long are you willing to
4 work for free?”¹⁴

5 On December 22, 2021, Mr. Phillips wrote in an email to attorney Wilson, “I’m going to
6 be doing some more slash ‘n [sic] burn litigation, the kind to which you’ve grown accustomed,
7 the kind for which you won’t be paid. But don’t tripp [sic]; I won’t get paid neither. So, before
8 the parties spend inordinate amounts of time and money that will never be recovered, is there any
9 remote possibility you can prevail upon your stubborn client? I need a phone call from
10 [REDACTED]”¹⁵

11 The foregoing examples are representative, not exhaustive, of Mr. Phillips’s numerous
12 vile communications to attorney Wilson.¹⁶

13 ***Mr. Phillips’s harassing communications directed to attorney Dan Waite (in Case No.
14 A-22-851472-C)***

15 When Mr. Phillips sued attorney Wilson based on her representation of [REDACTED]
16 herein, Mr. Waite represented Ms. Wilson. The *first* communication *ever* between Mr. Waite and
17 Mr. Phillips was on May 12, 2022. Mr. Waite sent Mr. Phillips a short email advising that he (Mr.
18 Waite) had been retained to represent attorney Wilson in Case No. A-22-1472-C, indicated Mr.
19 Phillips’s attempted service (inserting Ms. Wilson’s name onto the court’s e-service list was not
20 proper service), and offered to accept service on her behalf.¹⁷ Mr. Phillips’s response—his first

21 ¹⁴ *Id.* at Exhibit 2 at PLTF001457.

22 ¹⁵ *Id.* at Exhibit 1 at PLTF001458.

23 ¹⁶ The following are few other summary examples of vexatious and harassing threats that
24 Mr. Phillips directed to attorney Wilson for the purpose of disrupting her personal peace and
25 chilling her professional advocacy: (1) “I am going to sue you personally. Consider it a litigation
26 THREAT,” (Doc. ID# 535 at Exhibit 1), (2) “First chance I get, I am going to court. And I can’t
27 wait till YOU are a named defendant,” (*id.* at Exhibit 2), (3) You, Shannon Wilson, will be a
28 named defendant . . .,” (*id.* at Exhibit 3), (4) “You will be held liable. I can’t wait to sue you!!,”
(*id.* at Exhibit 4) (5) “As sure as you read these words—you accrue liability—and I know where
to garnish your wages. . . . You will soon learn these are not hollow litigation threats,” (*id.* at
Exhibit 5), and (6) “I will sue you. I promise you it will happen. And you will never get fees
against me: (a) I am judgment proof; and (b) you’re gonna lose. Lady, I can’t wait to sue you . . .
,” (*id.* at Exhibit 6).

¹⁷ Doc. ID# 589 (email (5/12/22 at 8:15 a.m.)) at Exhibit 3.

1 communication ever to Mr. Waite—was insightful into his vexatious nature. He said: “I am
2 prepared to litigate this issue. I want to litigate the issue. In fact, I intend to fight tooth ‘n nail on
3 every single issue, so let’s begin this match by litigating service of process.”¹⁸ Instead of
4 eliminating a service issue and moving on to the merits, Mr. Phillips preferred to litigate his novel
5 (and clearly improper service attempt, as evidenced by the court eventually dismissing his
6 complaint for lack of service), Mr. Phillips preferred to litigate the issue and he lost (as detailed in
7 greater detail below).

8 That same day (May 12, 2022), Mr. Phillips sent an email to Mr. Waite that included:
9 “This email will serve as an Exhibit in my first motion against YOU and your office.”¹⁹ In other
10 words, the very first day that Mr. Phillips and Mr. Waite met, Mr. Phillips started his personal
11 attacks against Mr. Waite and his law firm. But, this wasn’t even the first personal attack of the
12 day from Mr. Phillips to Mr. Waite. In an email two minutes earlier, Mr. Phillips threatened a
13 Rule 11 motion against Mr. Waite for advocating legal positions the court adopted when
14 dismissing Mr. Phillips’s lawsuit against attorney Wilson.²⁰ Still the same day—i.e., the day Mr.
15 Phillips and Mr. Waite communicated for the first time—Mr. Phillips threatened in yet another
16 email to seek a fee award against Mr. Waite and proclaimed that “it will be easy to collect from
17 you personally.”²¹

18 Less than two weeks later, Mr. Phillips threatened another Rule 11 motion against Mr.
19 Waite for, again, advocating legal positions the court adopted in dismissing Case No. A-22-1472-
20 C.²² In this communication, Mr. Phillips told Mr. Waite, in response to the legal analysis
21 provided to Mr. Phillips detailing his defective service and advising that if he failed to properly
22 serve Ms. Wilson then a motion to dismiss would be filed, he threatened: “File your 12(b)(5)
23

24 ¹⁸ *Id.* (email (5/12/22 at 9:13 a.m.)).

25 ¹⁹ *Id.* (email (5/12/22 at 1:03 p.m.)).

26 ²⁰ *Id.* (email (5/12/22 at 1:01 p.m.)) at Exhibit 4.

27 ²¹ *Id.* (email (5/12/22 at 1:48 p.m.)) at Exhibit 5.

28 ²² *Id.* (email (5/24/22 at 2:52 p.m.)) at Exhibit 6.

1 motion—if you dare. Note: if you repeat the same garbage in your letter, I will immediately file a
2 Rule 11 motion—for failure to investigate—and for making factual assertions that lack
3 evidentiary support, [Rule 11(b)(3)]. Try me.”²³ The Rule 12 motion to dismiss was filed and
4 Mr. Phillips’s case was dismissed for lack of service. A review of the docket in case A-22-
5 851472-C reveals Mr. Phillips did not file a Rule 11 motion. Thus, the Court FINDS Mr. Phillips’
6 threat to file a Rule 11 motion was harassment, frivolous, and mean-spirited.

7 ***Mr. Phillips’s harassing communications directed to attorney Dan Waite (in this case)***

8 Mr. Waite substituted into this case for attorney Wilson on February 28, 2024. Mr.
9 Phillips’s threats against Mr. Waite commencing in Case No. A-22-851472-C continued in this
10 case. For example, when Mr. Phillips sued Family Court Bill Henderson (*supra*), Mr. Phillips
11 stated to Mr. Waite that Judge Henderson’s actions in this case warranted “another lawsuit,” and
12 he then added, “Your complicity in Henderson’s lawlessness subjects you to liability as well.”²⁴

13 On July 17, 2024, Judge Henderson issued a 13-page Order in this case²⁵ that included,
14 *inter alia*, “a recommendation that the Attorney General take steps to declare [Mr. Phillips] a
15 vexatious litigant—not only as to filing of motions, but far more importantly, the need for pre-
16 clearance and authorization to file any further lawsuits against the judiciary.”²⁶ The Court
17 continued: “XXXXXXXXXXXX is a non-stop victim to this onslaught, and has endured the stress and
18 horrors of this over the years and it needs to stop.”²⁷ Accordingly, Judge Henderson ordered “that
19 a copy of this Order be conveyed to the Attorney General’s Office in the hope that they may see
20 fit to take action, to the extent it is in their authority to do so, to stop or at least somewhat control
21 the actions of what must be among the most obsessed and uncontrollable of vexatious litigants.”²⁸
22 Despite the Court’s command to convey a copy of the Order to the Attorney General’s Office

23 ²³ *Id.*

24 ²⁴ *Id.* (email (7/22/24 at 8:59 a.m.)) at Exhibit 7.

25 ²⁵ Doc. ID# 546.

26 ²⁶ *Id.* at 11:3-6.

27 ²⁷ *Id.* at 11:13-15.

28 ²⁸ *Id.* at 11:20-23.

1 (“AGO”), the Order did not identify who was to convey the Order. On July 22, 2024, Mr. Waite
2 conveyed the Order to the AGO, copying Mr. Phillips and Department R’s (Judge Henderson’s)
3 judicial executive assistant and law clerk. Mr. Phillips responded to Mr. Waite: “You took it upon
4 yourself to contact the A.G. because you have the specific intent to see more lawsuits filed—so
5 that you have more billing opportunities.²⁹ Your wish will come true.”³⁰

6 On August 13, 2024, Mr. Phillips sent Mr. Waite an email confirming his vexatious nature.
7 Mr. Phillips’s lengthy email regarded a then-recent ruling from Judge Henderson, stating: “In
8 open court, Henderson lamented that, if he were to declare Phillips vexatious, it would cause
9 Phillips to endlessly file papers (which is 100% true!).”³¹ Mr. Phillips’ August 13 communication
10 threatened: “[I]f you insist on enforcing [language in a duly-entered court order], I will indeed sue
11 (1) you, (2) Lewis-Roca [sic], (3) ████████, (4) LACSN, (5) Dept. R., and (6) Clark County.”³²

12 On October 11, 2024, Mr. Phillips sent Mr. Waite an email similar to emails he previously
13 sent to attorney Shannon Wilson: “Just so we’re clear, your motion for attorney’s fees is purely
14 academic.³³ You will never get a penny from Phillips. Not one thin dime. Let’s see how much of
15 your time we can waste. :)”³⁴

16 On December 11, 2024, Mr. Phillips and Mr. Waite exchanged emails regarding a Netflix
17 documentary that Mr. Phillips apparently wanted to create to expose how much “the State takes”
18 from child support payments. He sought information from ██████████ regarding the net amount
19 she receives from the child support payments made by Mr. Phillips. ██████████, through Mr.
20 Waite, declined to provide this information. Mr. Phillips did not like this answer and threatened
21 to contact ██████████ directly (instead of through Mr. Waite, her counsel). Mr. Waite responded

22 ²⁹ This is a strange accusation that Mr. Phillips made to an attorney representing his ex-wife
23 on a pro bono basis.

24 ³⁰ Doc. ID# 589 (email (7/22/24 at 1:48 p.m.)) at Exhibit 8.

25 ³¹ *Id.* (email (8/13/24 at 4:12 pm)) at Exhibit 9.

26 ³² *Id.*

27 ³³ There was no pending motion for attorney’s fees. Instead, there was a motion to reduce
several prior awards of attorney’s fees to a formal judgment.

28 ³⁴ *Id.* (email (10/11/24 at 9:55 a.m.)) at Exhibit 10.

1 Mr. Phillips could not contact [REDACTED] directly regarding anything germane to this case and
2 that, if Mr. Phillips had something he wanted [REDACTED] to consider, he needed to convey it
3 through Mr. Waite. Mr. Phillips responded: “How do I know you’ll faithfully submit the terms?”
4 and asked “What if I email her and ‘cc’ you on the email.” Mr. Waite responded: “Nope. Part of
5 what I view my role is to buffer her from you If you have some offer you want her to
6 consider that has a nexus to the D case (as this appears to have), please send the complete offer to
7 me. I assure you I will forward it to her (unless you include silly comments, in which case I will
8 summarize your offer without the silly comments).” Mr. Phillips’s response was swift: “Who are
9 YOU to decide what’s silly. If I send a WRITTEN offer, it’s your duty to convey the WRITTEN
10 offer. You don’t get to editorialize my WRITTEN offer.” Mr. Waite disagreed, indicating he was
11 only duty-bound to convey the terms of the offer, not Mr. Phillips’s commentary, and that “if you
12 have an offer that sticks to the business, I’ll likely just forward the email to [REDACTED] If
13 you include silliness, then I’ll convey the terms without the silliness.” Unsatisfied, Mr. Phillips
14 threatened frivolous motion practice: “I guess I’ll file a motion for declaratory relief [L]et’s
15 plumb the depths of the issue. I got nothing else to do.”³⁵

16 On the morning of December 24, 2024 (Christmas Eve day), Mr. Phillips communicated
17 with Mr. Waite about the sequencing of motions to be heard on January 30, 2025, and asked if Mr.
18 Waite would agree that Mr. Phillips’s motion to change venue could be heard first—which motion
19 this Court subsequently denied without hearing - “as another means to harass and unreasonably
20 increase the costs of litigation to [REDACTED]” and because the motion was “frivolous and
21 abusive and for the purpose of harassing and unreasonably increasing the costs of litigation,”³⁶—
22 Mr. Waite had no opposition to Mr. Phillips’s request.³⁷ Mr. Phillips thanked Mr. Waite and
23 wished him a “Merry Christmas.”³⁸

24
25 ³⁵ *Id.* (email (12/11/24 at 9:03 a.m.)) at Exhibit 11.

26 ³⁶ Doc. ID# 586 at 5:7-8, 14-15.

27 ³⁷ Doc. ID# 589 (emails (12/24/24)) at Exhibit 12.

28 ³⁸ *Id.* (email (12/24/24 at 10:48 a.m.)).

1 Earlier that same Christmas Eve morning, Mr. Phillips filed a Request for Disclosures
2 from Sitting Judge,³⁹ which the Court subsequently struck, without hearing, as a “procedurally
3 defective” and “harassing and vexation” filing.”⁴⁰ Shortly after Mr. Phillips wished Mr. Waite
4 “Merry Christmas,” Mr. Waite filed [REDACTED] “Response” to Mr. Phillips’s Request for
5 Disclosures from Sitting Judge”.⁴¹ [REDACTED] Response noted numerous irregularities
6 associated with Mr. Phillips’s Request for Disclosures from the Court. Less than 25 minutes after
7 Mr. Waite filed [REDACTED] Response, Mr. Phillips sent an email to Mr. Waite: “Let me
8 reiterate, I can’t wait to sue (i) you, (ii) Lewis-Roca [sic] and (iii) LACSN,” and then added “I
9 officially withdraw my Christmas greeting.”⁴² This kind of unhinged behavior is indicative of
10 what Judge Henderson previously referred to as Mr. Phillips’s potential “mental challenges and
11 delusions”⁴³ and is further evidence of Mr. Phillips’s vexatious, harassing, and mean-spirited
12 conduct toward opposing counsel.

13 ***Mr. Phillips’s harassing communications directed to attorney Ina O’Briant***

14 As noted above, Mr. Phillips filed a lawsuit against Jessica Caruss in the 56th Circuit
15 Court, Eaton County, Michigan as Case No. 2021-000820-NZ. Ms. Caruss was represented by
16 attorney Ina O’Briant. In that case, Mr. Phillips directed the following threats to Ms. O’Briant:

17 “I am anxious to proceed against you for money sanctions.” Ms. O’Briant responded: “As
18 far as your comment about being anxious to proceed against me for monetary sanctions only
19 further supports what you have already admitted, that you sue everyone! I have to be honest, the
20 pride in your voice when you made that admission to me on the phone last Friday, IN MY
21 OPINION, is quite appalling as a fellow Officer of the Court!!! IN MY OPINION, you are
22 nothing but a cyber bully and are attempting to bully me and my client”⁴⁴

23 ³⁹ Doc. ID# 579.

24 ⁴⁰ Minute Order (1/6/25).

25 ⁴¹ Doc. ID# 580.

26 ⁴² Doc. ID# 589 (email (12/24/24 at 11:10 am)) at Exhibit 13.

27 ⁴³ Doc. ID# 546, at 5:8-10.

28 ⁴⁴ Doc. ID# 589 (emails (9/29/21 and 9/30/21)) at Exhibit 14 at IRO 11.

1 A discovery dispute ensued regarding whether Ms. Caruss had destroyed evidence (as
2 alleged by Mr. Phillips) or merely temporarily deactivated her Facebook page (as alleged by Ms.
3 Caruss). On Sunday, October 10, 2021, Mr. Phillips emailed Ms. O’Briant: “Lady, I’m gonna sue
4 you and your client for spoliation of evidence. #SueHappy”.⁴⁵ The next day Ms. O’Briant
5 responded and hinted she might file a Bar complaint against him in California. Mr. Phillips
6 responded in a vexing and taunting way:

7 Lady, do you even practice law? You are the most under-educated attorney I
8 have ever dealt with in 30 years. Are all Michigan attorneys this ignorant. Or,
9 are you the colorful exception? . . . I can’t wait to sue you!! . . . Tell me more
10 about State Bar complaints! Get in line, sweetheart. I have had tons of
11 complaints from Merck, Pfizer, GSK, Monsanto, Dow, Bayer, Syngenta . . . but
12 not one complaint has ever stuck. So get in line with everybody else, and file
13 your complaint with the State Bar—your complaint will be summarily
14 dismissed. Please spin your wheels! In the meantime, I’m gonna sue you,
15 lady—and I’m gonna take your money.⁴⁶

16 Three days after attorney O’Briant indicated she was considering a Bar complaint in
17 California against Mr. Phillips, he filed a Bar complaint against her in Michigan. The Michigan
18 Attorney Grievance Commission concluded that “after careful review by the staff, this matter is
19 being closed . . . The facts as you have stated in your Request for Investigation do not constitute
20 professional misconduct.”⁴⁷

21 Turning back to the lawsuit Mr. Phillips filed against Ms. Caruss, such was dismissed by
22 the Eaton County Circuit Court, which relevantly declared: “[T]here does appear to be a basis for
23 an argument that this lawsuit was filed for the purpose to harass, embarrass or injure the
24 defendant. . . .”⁴⁸ The Court further found that, despite Mr. Phillips being an attorney licensed in
25 California, “[Mr. Phillips] has not followed any of the court rules and yet the Court’s file is
26 already this thick”⁴⁹

27 ⁴⁵ *Id.* (email (10/10/21 at 6:43 p.m.)) at Exhibit 14 at IRO 12.

28 ⁴⁶ *Id.* (emails (10/10/21 and 10/11/21) at Exhibit 14 at IRO 12.

⁴⁷ *Id.* Letter (12/20/21) at Exhibit 14 at IRO 13.

⁴⁸ *Id.* Transcript (11/5/21) at 13:15-14:1 at Exhibit 14 at IRO 2.

⁴⁹ *Id.* at 14:5-7.

1 Mr. Phillips did not like the Michigan Court’s ruling and began to argue his position
2 further, during which he likened the defendant (or defendant’s counsel, it is unclear from the
3 transcript) to “a paid assassin.”⁵⁰ At this point, the judge abruptly stopped Mr. Phillips and
4 warned: “I will start sanctioning you every time you say something like that.”⁵¹ The case was
5 dismissed and, as noted above, that dismissal decision was affirmed on appeal with a single
6 sentence: “The motion to affirm pursuant to [Michigan law] is GRANTED for the reason that the
7 question to be reviewed is so unsubstantial as to need no argument or formal submission.”⁵²

8 ***Repeated attacks on judges, the judges’ staff, and other judicial officers***

9 As set forth in this Order, Mr. Phillips has a history of suing judges presiding over his
10 cases, their staff, and other judicial officers involved in his cases. He filed numerous frivolous
11 and harassing requests to disqualify judges, including for previously denied reasons.⁵³ The Court
12 FINDS and concludes many of his disqualification efforts were intended to delay entry of adverse
13 rulings (and in at least one instance was successful in avoiding entry of adverse rulings, *see* Judge
14 Parlade’s Minutes regarding hearing on August 15, 2023, which Minutes were never reduced to
15 an order given Mr. Phillips’s efforts to disqualify Judge Parlade), and/or to wear the judges down
16 in hopes they would voluntarily recuse themselves.

17 Mr. Phillips’s interactions with the court demonstrate a stunning lack of candor,
18 vindictiveness, harassment, and bad faith.

19 **1) Judge Parlade’s Minutes from August 15, 2023, Hearing**

20 Two weeks after the August 15, 2023, hearing where Judge Parlade verbally announced
21 very adverse rulings against Mr. Phillips, he filed an affidavit seeking to disqualify Judge Parlade.
22 Shortly thereafter (and before the Chief Judge ruled on Mr. Phillips’s disqualification effort),
23 Judge Parlade voluntarily recused herself but memorialized Mr. Phillips’s three-time waiver of
24

25 ⁵⁰ *Id.* at 16:5.

26 ⁵¹ *Id.* at 16:8-10.

27 ⁵² *Id.* at Exhibit 14 at IRO 9.

28 ⁵³ *Jordan*, 121 Nev. at 64, 110 P.3d at 42 (“Lockett repeatedly asserted the same losing arguments in motions to reconsider matters that had already been determined against him.”).

1 her disqualification.

2 More particularly, at the beginning of the August 15, 2023, hearing, the Court (Judge
3 Parlade) disclosed that she (1) previously blocked a “T. Matthew Phillips” and “Matthew T.
4 Phillips” from a couple of her social media accounts when she was a judicial candidate, (2) had
5 no communications with this/these person(s), and (3) did not know if the identified individual was
6 the defendant in this case. (*See* Order (9/5/23), Doc. ID# 449). Judge Parlade indicated she did
7 not harbor any bias or prejudice against the parties and that she was prepared to rule
8 “competently, fairly, impartially, without bias or prejudice in this matter; but that if the parties
9 believed that her impartiality might be reasonably questioned, she would voluntarily recuse.” (*Id.*
10 at 3:7-14).

11 Mr. Phillips waived judicial disqualification stating “I’m happy to have Your Honor rule
12 on the matters. I don’t see any need for disqualification.” (*Id.* at 4:1-3). The Court inquired
13 again: “‘Sir, do you have any concerns with me serving as your Judge today?’ [Mr. Phillips]
14 responded, ‘I have no concerns Your Honor. I’m happy to have you rule.’” (*Id.* at 4:4-7). Ms.
15 [REDACTED] counsel also had no concerns with Judge Parlade proceeding. Then, “[f]or a third time,
16 [Mr. Phillips] confirmed his decision for the COURT to hear his matter[.] [W]hen the COURT
17 asked if any appearance of impropriety was waived, [Mr. Phillips] responded, ‘Any impropriety,
18 any appearance [of impropriety], is waived.’” (*Id.* at 4:10-14). Accordingly, Judge Parlade found
19 “that both parties waived disqualification and requested for Judge Parlade to serve as their
20 District Judge” (*Id.* at 4:22-24).

21 Judge Parlade proceeded to resolve all pending matters and made very unfavorable
22 findings against Mr. Phillips, including the following, which are memorialized in the Minutes
23 from the August 15, 2023, hearing (“Minutes⁵⁴ (8/15/23)”):

24
25
26 ⁵⁴ Minutes are not orders nor is the document the official record of the court
27 proceedings. Regardless, oral decisions from the bench are of no effect until reduced to writing.
28 See Rust v. Clark Cty. Sch. Dist., 103 Nev. 686,689, 747 P.2d 1380, 1382 (1987). See also
Nalder v. Eighth Judicial Dist. Court, 136 Nev. 200, 208, 462 P.3d 677, 685 (2020)(quoting
Millen v. Eighth Judicial Dist. Court, 122 Nev. 1245, 1251, 148 P.3d 694, 698 (2006)).

- 1 1. The Court denied Mr. Phillips’s first motion as a “meritless, baseless Motion.” (*See*
2 Minute Order (8/15/23) at page 2 of 12.
- 3 2. The Court characterized Mr. Phillips’s arguments associated with another of his five
4 motions as “frivolous, baseless, and wholly erroneous.” (*Id.* at page 4 of 12).
- 5 3. Regarding another of Mr. Phillips’s then-pending motions, the Court deemed his
6 failure to comply with the rules “shall be construed by this Court as grounds that the
7 Motion is not meritorious and as a basis for imposing sanctions.” (*Id.* at page 5 of 12).
- 8 4. Based on the foregoing rulings, which did not complete the Court’s resolution of the
9 five motions but based on Mr. Phillips’s response to those rulings, the Court
10 admonished him it “will not tolerate any name calling in its courtroom” and that he
11 could be held in contempt of court. (*Id.* at page 7 of 12).
- 12 5. Part of what prompted Mr. Phillips to respond disrespectfully to the Court was Judge
13 Parlade denied one of his five motions without an opposition being filed. Mr. Phillips
14 apparently felt the Court was required to grant his motion, whether it had merit or not,
15 simply because no opposition was filed. Judge Parlade corrected Mr. Phillips’
16 misconception by noting the Court “may Grant a Motion if it is unopposed on [the]
17 merits though, in this case the Court [does] not FIND the merits have value” (*Id.*
18 at page 8 of 12).
- 19 6. Having resolved the five pending motions, the Court turned to the issue of sanctions in
20 the form of attorney’s fees:

21 The COURT FINDS, pursuant to NRS 18.010 2.(b), EDCR 7.60(b)(1), and
22 EDCR 7.60(b)(3), that Attorney’s Fees are warranted in that Mom and Ms.
23 Wilson [plaintiff’s then pro bono counsel] have had to defend against [Mr.
24 Phillips’s] arguments which are frivolous, unnecessary and unwarranted.
25 Furthermore, pursuant to NRS 18.010 2. [Mr. Phillips] has multiplied the
26 proceedings of this case as to increase costs unreasonably and vexatiously.
27 The Court FURTHER FINDS that these were brought or maintained without
28 reasonable ground or to harass Mom, who is the prevailing Party in . . .
 these Motions. [Mr. Phillips’s] claims overburden limited judicial resources
 hinder the timely resolution of meritorious claims and increase the costs of
 engaging in business and providing professional services to the public.

(*Id.* at page 9 of 12, emphasis added).

1 7. The Court noted that the evidence submitted by plaintiff in response to Mr. Phillips's
2 motions demonstrated his "vexatious, litigious, harassing allegations [and] threats."
3 (*Id.*).

4 8. Indeed, the Court concluded that the submitted evidence
5 establish[es] that [Mr. Phillips] is vexatious, vindictive and resilient on
6 filing frivolous, baseless Motions and causes of actions against Mom, Ms.
7 Wilson, and anyone who gets in his way of harassing Mom and Ms. Wilson,
8 including Judicial Officers who have ruled against [Mr. Phillips]. This is
9 further evidenced by [Mr. Phillips'] history of filing baseless causes of
10 action against Mom, Ms. Wilson, and Judicial Officers that have ruled
11 against [Mr. Phillips] (*Id.*, emphasis added).

12 9. The Court then made a finding consistent with the foregoing, including an
13 award of fees:

14 THE COURT FINDS that [Mr. Phillips'] Motions are frivolous, baseless,
15 and without merit and based upon the totality of the circumstances including
16 [his] history of filing baseless claims against Mom and Ms. Wilson and any
17 Judicial Officer, the COURT FINDS that [Mr. Phillips'] filed the Motions
18 against Mom with the intention to harass and intimidate and burden Mom,
19 Ms. Wilson and this Court with baseless, frivolous, protractive litigation,
20 therefore, pursuant to NRS 18.010 2. (b) and EDCR 7.60, the Court has
21 wide discretion as it pertains to making Orders where a Party has presented
22 themselves in a manner, and presented frivolous unnecessary filings
23 Motions and has unreasonably increased fees and cost[s] in this matter and
24 has failed and/or refused to comply with Rules and Orders of this Court,
25 therefore, the COURT FINDS pursuant to EDCR 7.60 and NRS 18.010 2.,
26 [Mr. Phillips] has presented frivolous unnecessary filings, motions and
27 unreasonably increased fees and cost[s] in this matter and has failed or
28 refused to comply with the Rules and Orders of this Court and is therefore
liable to [Mom/plaintiff for an] AWARD of ATTORNEY'S [sic] FEES
AND COST. . . .

(*Id.* at page 10 of 12, emphasis added).

21 10. Finally, the Court (Judge Parlade) reviewed Nevada law for determining when a party
22 can be deemed a "vexatious litigant" and noted that, although a vexatious litigant
23 motion had not been filed against Mr. Phillips, "the Court is willing to entertain one . .
24 . because the Court does NOTE that there is a record here establishing a Vexatious
25 Litigant. . . ." (*Id.* at page 11 of 12, emphasis added).

26 2) Judge Henderson's Order dated July 17, 2024

27 Judge Bill Henderson issued an Order on July 17, 2024 (Doc. ID# 546) memorializing
28 several matters relevant to the Court's current determination.

1 First, the Court noted that Mr. Phillips sought to disqualify Judge Parlade and Judge
2 McConnell from hearing his case and they voluntarily recused themselves before a ruling from
3 the Chief Judge on his disqualification affidavits. Even so, Mr. Phillips alleged they “were wrong
4 to voluntarily recuse (even though he demanded they be removed from the case), as he clearly
5 wanted the matter to proceed to the Chief Judge for disqualification, apparently in hope that some
6 judicial wrong-doing would be determined.” (*Id.* at 1:19-23). In other words, even though Mr.
7 Phillips obtained the result he requested, he wanted those two judges to be involuntarily removed
8 with a finding of misconduct, instead of voluntarily recusing themselves, akin to a vindictive
9 “you can’t quit because you’re fired” moment.

10 Judge Henderson also found that Mr. Phillips’s conduct in this case demonstrated he was
11 “on a crusade to constantly be determined to be ‘right’, and that everyone else involved is corrupt,
12 etc.” and that Mr. Phillips’s “approach is an obsession, or even an addiction”; he “invariably
13 insists that he must be declared totally right as to every argument he ever made, and that anyone
14 else involved must not only be declared as totally wrong, but they must be harshly punished, and
15 even essentially annihilated” (*Id.* at 4:13-5:6).

16 Judge Henderson was so concerned for Mr. Phillips and about his litigation tactics that he
17 “struggled with the question of how much of this is simply a highly malicious, even sadistic,
18 crusade, vs. how much of it is the result of mental challenges and delusions. . . . [T]he Court has
19 legitimate reason to suspect some mental health underpinnings” (*Id.* at 5:8-12). Indeed, the
20 Court found Mr. Phillips’s conduct “does suggest some level of narcissistic, delusional and
21 paranoid behavior, which is startling in how extreme and pervasive it manifests itself. If that
22 assessment is wrong, then [Mr. Phillips] is totally responsible for all the harm he has caused as he
23 is fully aware that he is on a sadistic crusade and he enjoys using the legal system in a highly
24 warped, quixotic quest to destroy people.” (*Id.* at 5:19-23).

25 Judge Henderson’s findings continued: “[M]ost [of Mr. Phillips’s] filings are little more
26 than non-stop personal attacks, name-calling, and for the Court to brand other judges and lawyers,
27 as well as itself, as being wretched crooks out to violate the constitution at every turn. . . . The
28 Court is very cognizant of the incredible resources utilized in responding to [Mr. Phillips’s]

1 fixation on filing endless complaints and lawsuits. The resources of all involved have been
2 strained beyond the limit” (*Id.* at 10:2-4, 10:15-17).

3 Further, Mr. Phillips “wishes to blame and punish his ex-wife, and by extension
4 seemingly the entire Nevada legal system, because he never pursued a relationship with his son,
5 and instead devoted his life and career to non-stop absurd litigation. . . . An individual having
6 reasonable, constitutional access to the courts cannot be perverted into the concept that the system
7 is helpless in controlling and stopping another individual being constantly victimized by being on
8 the receiving end of the legal system being used to perpetually harm and torture an ex-spouse
9 who decided to leave what [she] perceived as an unduly controlling, and even abusive
10 relationship.” (*Id.* at 11:1-20). Finally, the Court noted that Mr. Phillips was “among the most
11 obsessed and uncontrollable of vexatious litigants.” (*Id.* at 11:23).

12 **D. *Jordan’s Fourth Factor—Narrowly Tailored Order***

13 “Finally, the order must be narrowly drawn to address the specific problem encountered.
14 We note that when a litigant’s misuse of the legal system is pervasive, a restrictive order that
15 broadly restricts a litigant from filing any new actions without permission from the court might
16 nonetheless be narrowly drawn.” *Jordan*, 121 Nev. at 61-62, 110 P.3d at 43.

17 Here, this Court’s Order is narrowly tailored in that it:

18 1. Applies to Mr. Phillips’s interactions with the Eighth Judicial District Court, a part
19 of the State of Nevada’s state trial court system.⁵⁵ *See Jordan*, 121 Nev. at 66, 110 P.3d at 46..

20 2. Precludes Mr. Phillips from “filing any new actions unless the court first
21 determines the proposed action is not frivolous or brought for an improper purpose and/or
22 implicates a fundamental right.” *Id.* More particularly, this Order requires Mr. Phillips “to first
23 obtain the Court’s permission” before filing any new actions in the District Court. *See Jordan*,
24 121 Nev. at 66, 110 P.3d at 46.

25 ⁵⁵ Lay people frequently misapprehend the Eighth Judicial District Court as a court of *Clark*
26 *County*. This is inaccurate. District Courts in the State of Nevada are *state* trial courts. The
27 Eighth Judicial District Court is one of eleven (11) general jurisdiction state trial courts in
28 Nevada. Because of its population base, the Eighth Judicial District Court also includes the
specialized Family Division to which the above-captioned case is assigned. See EDCR 1.11
(citing NRS 3.223). See also NRS 3.0105(1).

1 3. Does not preclude Mr. Phillips from filing grievances or appeals at the
2 administrative level below the District Court, or any document necessary to perfect or prosecute
3 review by a higher court (e.g., appeal, writ petition, etc.).

4 The Court has considered other sanctions, both less (e.g., monetary sanctions) and more
5 onerous than imposed here, and reject them as being, respectively, not sufficient or not required
6 to properly balance between Mr. Phillips’s right to access the courts and the public’s interest in
7 protecting scarce judicial resources from repetitious and vexatious litigation. *See Jones v. Eighth*
8 *Judicial District Court*, 130 Nev. 493, 499, 330 P.3d 475, 479 (2014) (citing *Jordan, supra*, 121
9 Nev. at 60 & n.27, 110 P.3d at 42 & n.27).

10 **CONCLUSIONS OF LAW**

11 “The equity power of a court to give injunctive relief against vexatious litigation is an
12 ancient one” *Jordan*, 121 Nev. at 59 n.22, 110 P.3d at 41 n.22 (quoting *Matter of Hartford*
13 *Textile Corp.*, 681 F.2d 895, 897 (2d Cir. 1982)).

14 “[T]he vexatious-litigant determination is discretionary” and will be sustained unless
15 exercised “arbitrarily or capriciously.” *Odoms v. Eighth Judicial District Court*, 133 Nev. 1057,
16 389 P.3d 270 (Table), 2017 WL 700563 at *1 (Feb. 21, 2017).

17 “A ‘vexatious litigant’ is one ‘who repeatedly files frivolous lawsuits.’” *Peck v. Crouser*,
18 129 Nev. 120, 122, 295 P.3d 586, 587 (2013) (quoting *Black’s Law Dictionary* 952 (8th ed. 2004)).

19 “In order to deter [vexatious] conduct, [the Nevada Supreme Court] has approved of the
20 use of sanctions, including limiting by order a vexatious litigant’s right to access the courts.” *Id.*
21 (citing *Jordan v. State, Dep’t of Motor Vehicles*, 121 Nev. 44, 58-60, 110 P.3d 30, 41-42 (2005),
22 *abrogated on other grounds by Buss Stew, LLC v. City of N. Las Vegas*, 124 Nev. 224, 228 n.6,
23 181 P.3d 670, 672 n.6 (2008)).

24 “Restrictions imposed by vexatious litigant orders may include . . . barring the litigant
25 from filing any new action without first demonstrating to the court that the proposed case is not
26 frivolous.” *Peck*, 129 Nev. at 123, 295 P.3d at 587.

27 “Vexatious litigant orders inhibiting a party’s ability to submit court filings without
28 particular restrictions . . . arise[] out of the United States and Nevada Constitutions, case

1 authority, statutes, and court rules.” *Peck*, 129 Nev. at 123-24, 295 P.3d at 588.

2 “The authority to issue a restrictive [vexatious litigant] order is based on the fact that the
3 courts are constitutionally authorized to issue all writs proper and necessary to complete the
4 exercise of their jurisdiction and that ‘courts possess inherent powers of equity and of control
5 over the exercise of their jurisdiction.’” *Jones v. Eighth Judicial District Court*, 130 Nev. 493,
6 498, 330 P.3d 475, 479 (2014) (quoting *Jordan, supra*, 121 Nev. at 59, 110 P.3d at 41).

7 “The filing of numerous petitions and other motions . . . takes up significant judicial
8 resources, and the use of restrictive orders may help curb vexatious behavior and preserve scarce
9 judicial resources.” *Jones, supra*, 130 Nev. at 498-99, 330 P.3d at 479.

10 “[T]he four-step analysis set forth in *Jordan* provides the appropriate balance between the
11 litigant’s right to access the courts . . . and the public’s interest in protecting scarce judicial
12 resources from repetitious and vexatious litigation.” *Jones, supra*, 130 Nev. at 499, 330 P.3d at
13 479.

14 “A vexatious litigant does not have a First Amendment right to abuse official processes
15 with baseless filings in order to harass someone to the point of distraction or capitulation.”
16 *Lucido v. Eighth Judicial District Court*, 543 P.3d 107 (Table), 2024 WL 666201 at *1 (Nev. S.
17 Ct. Feb. 16, 2024) (unpublished disposition) (quoting *Riccard v. Prudential Insur. Co.*, 307 F.3d
18 1277, 1298 (11th Cir. 2002)).

19 Mr. Phillips’s filing a lawsuit or appeal and not paying the filing fees is evidence that the
20 action or appeal was knowingly frivolous and intended to harass an opponent and constitutes a
21 misuse of the legal system. *Dawson v. Green*, 2008 WL 4724270, *4 (D. Colo. Oct. 24, 2007)
22 (“the purpose behind requiring [plaintiffs] to pay their filing fees is to deter frivolous litigation”);
23 *In re. Hall*, 354 Fed. Appx. 842, 843 (5th Cir. 2009) (“failure to pay the filing fees [is an
24 indication the case should be” dismissed as frivolous.”); *Allen v. Engelage*, 2021 WL 5013611,
25 *2 (S.D. Ill. Oct. 28, 2021) (plaintiff “made no attempt to pay his filing fees and again seeks to
26 engage in frivolous litigation”).

27 Mr. Phillips’s numerous harassing communications to his opposing counsel (including
28 threatened and actual lawsuits against them) demonstrate a mean, relentless and obsessive spirit.

1 “Nevada courts [possess] the power to permanently restrict a litigant’s right to access the
2 courts.” *Jordan*, 121 Nev. at 59, 110 P.3d at 42.

3 “A court may impose such [vexatious litigant] restrictions either after a party so moves,
4 or, in appropriate circumstances, sua sponte.” *Jordan*, 121 Nev. at 60, 110 P.3d at 41.⁵⁶

5 **MR. PHILLIPS IS A VEXATIOUS LITIGANT**

6 Based on the foregoing and the record in this case, this Court FINDS and concludes Todd
7 Matthew Phillips is DEEMED a vexatious litigant in both the generic sense⁵⁷ and under the
8 analysis required by *Jordan*. Sanctions against Mr. Phillips are warranted. A restrictive order is
9 necessary for Mr. Phillips’s own benefit and for the benefit of all objects of his vexatious
10 conduct, including ██████████ opposing counsel, the Court, the Court’s staff, and judicial
11 officers.

12 **ACCORDINGLY, THE COURT FINDS AND ORDERS AS FOLLOWS:**

- 13 1. IT IS HEREBY ORDERED that Todd Matthew Phillips is DEEMED a vexatious litigant;
14 and
15 2. IT IS HEREBY ORDERED Todd Matthew Phillips may not file any *new* litigation in the
16 District Court, including the Family Division, without first obtaining leave of the Chief
17 Judge of the District Court and/or the judicial officer assigned a specific case; and
18 3. IT IS HEREBY ORDERED that, if Todd Matthew Phillips has any *new* litigation to file in
19 the District Court, including the Family Division, he shall first provide the judicial
20 executive assistant of the Chief Judge with (1) an unfiled copy of the pleading (e.g.,
21 complaint, petition, etc.) that he wishes to file, and (2) a copy of this Order; and
22 4. IT IS HEREBY ORDERED that this Court anticipates the Chief Judge and/or assigned

23
24 ⁵⁶ The Court issued its OSC sua sponte but notes ██████████ responded to such with her
independent request Mr. Phillips be deemed a vexatious litigant.

25 ⁵⁷ Mr. Phillips demonstrates the signs of what some clinical professionals term a
26 “hyperlitigious litigant”—he (1) initiates numerous lawsuits, (2) “[h]as a life that revolves around
27 the development and progress of litigation,” (3) “[i]s not deterred by repeated negative outcomes,”
28 (4) “[f]iles suits that are trivial or unfounded,” (5) “[i]nvests great amounts of time in litigation,”
and (6) “[i]s a known and persistent presence for lawyers, judges, and clerks.” Coffey, Brodsky,
and Sams, “*I’ll See You in Court...Again: Psychology and Hyperlitigious Litigants*, J. Am.
Academy of Psych. & the Law (March 2017) (available at <https://jaapl.org/content/45/1/62>).

1 judicial office of a specific existing case will review the pleadings submitted by or on
2 behalf of Todd Matthew Phillips to determine if the proposed action is frivolous,
3 repetitive of another action or claim previously asserted, or brought for an improper
4 purpose and/or implicates a fundamental right; and

5 5. IT IS HEREBY ORDERED that, upon determination by the Chief Judge and/or assigned
6 judicial officer of a specific existing case, a proposed pleading submitted by or on behalf
7 of Todd Matthew Phillips is meritorious, Todd Matthew Phillips shall be permitted to file
8 said claim in the District Court; and

9 6. IT IS HEREBY ORDERED that, upon determination by the Chief Judge and/or assigned
10 judicial officer of a specific existing case, a proposed pleading submitted by or on behalf
11 of Todd Matthew Phillips is rejected, the Chief Judge (or another court officer as may be
12 appropriately delegated by the Chief Judge) shall notify Mr. Phillips in writing that a
13 document was rejected for filing and Mr. Phillips shall not attempt to file such rejected
14 document; and

15 7. IT IS HEREBY ORDERED that DEEMING Todd Matthew Phillips to be a vexatious
16 litigant shall in no way affect his ability to file (1) any grievances or appeals at the
17 administrative proceedings below the Eighth Judicial District Court, be that with an
18 appeals officer or a hearing officer, or (2) any document necessary to perfect or prosecute
19 review by a higher court (e.g., appeal, writ petition, etc.); and

20 8. IT IS HEREBY ORDERED that this Order shall be remitted to the State of Nevada,
21 Administrative Office of Courts, for admission into the District Court's state vexatious
22 litigant database; and

23 9. IT IS HEREBY ORDERED that the mere filing a notice of appeal or seeking other review
24 of this Order does not stay the effect of this Order unless Todd Matthew Phillips obtains a
25 stay order from this Court or the reviewing Court; and

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10. This case is ORDERED returned to CLOSED status.

Dated this 4th day of February, 2025

A handwritten signature in black ink, appearing to read "Heidi Almase". The signature is stylized with large loops and a long horizontal stroke at the end.

6D8 0E9 9993 C54B
Heidi Almase
District Court Judge