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Steven D. Grierson
CLERK OF THE COURT

LUBA DACE
[redacted]
Las Vegas NV, 89178
[redacted]
Pro Per

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

LUBA DACE, Plaintiff, v. MELVIN GRIMES, BEN CHILDS, LAW OFFICE OF BENJAMIN B. CHILDS, ROBERTS STOFFEL FAMILY LAW GROUP, Defendants.	Case No.: A-25-922833-C Dept. No.: 29 **MOTION TO LODGE EXHIBITS UNDER SEAL AND FOR IN CAMERA REVIEW** HEARING NOT REQUESTED

NOTICE OF MOTION

TO: Nonmoving Party

YOU AND EACH OF YOU will take notice that on the_____day of_____, 2____, at the hour of___o'clock __m., of said day, the above motion will be heard in

NOTICE:

YOU ARE REQUIRED TO FILE WITH THE COURT AND SERVE ON THE MOVING PARTY A WRITTEN "OPPOSITION" TO THIS MOTION WITHIN 10 JUDICIAL DAYS. YOUR FAILURE TO FILE AND SERVE A WRITTEN OPPOSITION MAY BE UNDERSTOOD AS AN ADMISSION THAT THE MOTION IS VALID, AND MAY RESULT IN THE COURT GRANTING THE RELIEF REQUESTED IN THE MOTION AGAINST YOU.

Plaintiff Luba Dace, appearing in proper person, respectfully moves this Court for an order permitting the lodging of certain exhibits under seal and for in camera review pursuant to NRS 125.110, EDCR 2.30, and this Court's inherent authority to protect confidential family-court records.

I. INTRODUCTION

This matter involves parallel proceedings and records drawn from Plaintiff's ongoing family-law case, *Gonzalez v. Velazquez-Gonzalez*, No. D-18-575860-D (Nev. Dist. Ct., Fam. Div., Clark Cnty.). Many of the exhibits necessary to adjudicate the pending Anti-SLAPP issues arise from that sealed matter. To comply with confidentiality restrictions and avoid disclosure of minor-child information, Plaintiff lodges the following exhibits with appropriate sealing designations.

II. EXHIBIT INDEX (A–U)

As detailed in the contemporaneously filed Notice of Lodgment of Exhibits A–U, Plaintiff tenders the following:

- Exhibits A–D, F–G, J, L, M, Q – Family-court minutes, orders, transcripts, stipulations, and filings. These contain confidential custody and minor-child content and are tendered *under seal for in camera review*.
- Exhibits E, H, I, K, N, O, P, R, S, T, U – Public-record materials, declarations, bar admonitions, and electronic service receipts. These are filed openly, with redactions as necessary.

(See Notice of Lodgment, filed concurrently.)

III. LEGAL STANDARD

Nevada law requires family-court records containing minor-child information to be sealed. NRS 125.110; EDCR 5.207. The Court may also conduct *in camera* review to determine admissibility or relevance. See *NRCP 26(c)* (protective orders); *Turner v. State*, 136 Nev. 545, 474 P.3d 507 (2020) (trial court has discretion to review materials *in camera* to balance confidentiality with fairness).

IV. ARGUMENT

1. Good cause exists for sealing. Family-court materials contain confidential information concerning custody, school records, and minor-child issues. Disclosure would contravene Nevada statutes and the Court's sealing orders in the underlying case.

2. In camera review is appropriate. The Court, not the opposing parties, must determine how the sealed records bear on the Anti-SLAPP issues. In camera review ensures relevance can be assessed without breaching confidentiality.

3. Public records remain open. Plaintiff has segregated and filed all non-confidential exhibits publicly to maintain transparency while respecting statutory privacy requirements.

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V. RELIEF REQUESTED

Plaintiff respectfully requests that this Court enter an order:

1. Accepting Exhibits A–U as lodged;

2. Directing the Clerk to file Exhibits A–D, F–G, J, L, M, Q under seal;

3. Reviewing those sealed exhibits in camera as needed; and

4. Allowing Exhibits E, H, I, K, N, O, P, R, S, T, U to remain part of the public record.

DATED this 12th day of September, 2025.

Respectfully submitted,

/s/ *Luba Dace*

LUBA DACE
Pro Per Plaintiff
[redacted]

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of September, 2025, I served the foregoing Motion to Lodge Exhibits Under Seal and for In Camera Review via the Court's eFile & Serve system on all counsel of record.

/s/ *Luba Dace*

Pro Per Plaintiff

EXHIBIT E

CHRISTOPHER P. BURKE, ESQ.
[redacted]
tor

ECF Filed on 4/15/22

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:	Case No.: 21-15676-NMC
LUBA SNOW	Chapter 7
Debtor.	

TRANSCRIPT OF MARCH 4, 2022 HEARING

COMES NOW, Debtor Luba Snow ("Debtor" or "Snow"), and submits the following document: Transcript of the Hearing held on March 4, 2022 (see attached). Snow had ordered the C.D. of the hearing and later had it transcribed.

DATED this 15th day of April, 2022.

/s/ Christopher P. Burke, Esq.
Christopher P. Burke, Esq.
Attorney for Debtor

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CERTIFICATION OF TRANSCRIPTIONS
AFFIDAVIT FOR TRANSCRIPTIONS OF SAID DOCUMENTS

American Language Services, a company specializing in the transcription of documents, certifies the following:

- American Language Services has retained a professional transcriber/translator of the English language(s). The documents are referred to as:

"LUBA SNOW AKA LUBA GONZALEZ; 21-15676-NMC; CHAPTER 7"

- I affirm that such transcriptions have been prepared by a duly qualified transcriber, who has confirmed that such transcriptions are, to the best of their knowledge and belief, true and accurate transcriptions.

- I declare under the penalty of perjury that the forgoing is true and correct. Notwithstanding the foregoing affirmations, no liability is assumed for errors and omissions in the transcriptions of the attached documents.

- Executed on this First day of April, 2022 in Los Angeles, California.

Reuben Trujeque

REUBEN TRUJEQUE
AMERICAN LANGUAGE SERVICES

ata MEMBER
American Translators Association

Member # 244894

[redacted]

www.alsglobal.net

me is, is absolutely protected and I see no reason how it's relevant to this issue on top of being protected.

Mr. Burke: Your honor, we're seeking contempt here. We're seeking punitive damages and the actions of Mr. Grimes are relevant and if he's rushed to file these motions, at least one with knowledge of the bankruptcy, arguably two and to jail Ms. Snow was based on his desire to get paid and that plays into whether or not punitive damages should be awarded if this court thinks the stay was violated.

Judge: Mr. Burke why don't you ask Mr. Grimes if there is a personal interest in the sale of the property?

Mr. Burke: Thank you. Mr. Grimes, do you have any persona interest in the sale proceeds of this property?

Mr. Grimes: No.

Mr. Burke: Do you-, Mr. Grimes, do you have a lien with Mr. Gonzalez for sale proceeds of this property?

Mr. Grimes: No.

Mr. Burke: Mr. Grimes do you have any type of agreement verbal, oral with Mr. Gonzalez regarding the sale proceeds of this property?

Mr. Grimes: Yes.

Mr. Burke: What is that agreement?

Mr. Grimes: The agreement is that the remainder of my bill will be paid in full on sale of the property.

Mr. Burke: Thank you. The order to show cause that you filed after knowledge of the bankruptcy sought to jail Ms. Snow for 25 days, correct?

Mr. Grimes: That is correct.

Mr. Burke: There is a place in the record where you requested 28 days are you aware of that?

have filed your own declaration [U/A] could be, you know, going [U/A] that as well, but I am-, I have allowed you to testify despite the fact that there was no declaration on here. I will, will for efficiency sake allow you to make a statement and then Mr. Burke will respond to that with questions or objections if he has any. So, you may proceed.

Mr. Grimes: So, my initial statement, your honor, is and there has been a lot of questions about this why I didn't stop everything [U/A] notify me by e-mail that she had filed bankruptcy. The problem is that Ms. Snow has been less than honest in the divorce case and even in this current bankruptcy case but at that time I had already been dealing with her for years with deceit. I mean, she-, [U/A] from the Family Court were that she executed [U/A] by, by getting a signature by coercion and faking that signature and attaching it to a quick [U/A] to assert the claim on the [U/A]. I don't trust her. That was my position. That's why I checked PACER. I checked PACER, I, I-, there was no filing. And so, we proceeded to stop-, try to stop her. Now, I subsequently learned that even the TRO would not have stopped her in federal court for filing bankruptcy. But it was my intent. That's what we were trying to do. There is no question of that. So, what happens next is we lose the race, I notify the court, the court continues the hearing. As I have stated I had a hearing that morning. I was at the [U/A] if the court needs that information, I can give it the case number, but I was down there for quite some time. Far more than I expected to. When I returned to my office, I had a message. The message was from Department P and the message said, "Filing motion for order to show cause and living [U/A] blank line on the order for attorney's fees." I had to contact my client because even if the court says that, I can't just spend my client's money. I contacted Enrique. I informed him that we could file a motion for an order to show cause. I drafted an initial order to show cause. I will tell you I was concerned whether or not I'm violating the automatic stay so I do some research, I clearly learn I can't seek attorney's fees, I can't seek sanctions, I, I

EXHIBIT I

DECLARATION OF LUBA DACE

(Authenticating Exhibits A–H; Attesting to Lack of NRS 125C Notice)

I, **Luba Dace**, declare as follows:

1. I am the Plaintiff in this action. I make this declaration based on my personal knowledge.
2. Attached hereto as **Exhibits A through H** are true and correct copies of documents from my family-court case, including notices, dockets, orders, transcripts, stipulations, and pleadings.
3. These records are authentic and accurately reflect what was filed and entered in that matter.
4. None of the attached documents provides notice of an evidentiary hearing under **NRS 125C.0035**. At no time was "abduction" noticed, adjudicated, or subject to the statutory evidentiary pathway (clear-and-convincing proof and written findings).

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

DATED: September 12, 2025
Las Vegas, Nevada

/s/*Luba Dace*

Luba Dace
Plaintiff, Pro Per

EXHIBIT K

DECLARATION OF LUBA DACE

(No Criminal Record; No Parental Abduction Charges)

I, Luba Dace, declare as follows:

1. I am the Plaintiff in this action. I make this declaration based on my personal knowledge.
2. I have never been arrested, charged, convicted, or pled guilty to any criminal offense under NRS 200.359 (child abduction) or any other criminal statute.
3. I have no criminal record of any kind in Nevada or elsewhere.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

DATED: September 12, 2025
Las Vegas, Nevada

/s/*Luba Dace*

Luba Dace
Plaintiff, Pro Per

EXHIBIT O

Honorable Natalie M. Cox
United States Bankruptcy Judge

Entered on Docket
April 04, 2023

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

* * * * * *

In re:	)	Case No.: 21-15676-nmc
LUBA SNOW *aka* Luba Gonzalez,	)	Chapter 7
Debtor.	)	

ORDER AWARDING DAMAGES REGARDING MOTION FOR CONTEMPT FOR VIOLATION OF THE AUTOMATIC STAY UNDER § 362(a) AND DAMAGES AGAINST CREDITOR, ENRIQUE IVAN VELAZQUEZ-GONZALEZ, HIS COUNSEL, MELVIN R. GRIMES, ESQ. AND LAW FIRM, ROBERTS STOFFEL, FAMILY LAW GROUP [ECF NO. 11][1]

On September 26, 2022, the Court entered its findings of fact and conclusions of law (ECF No. 99) ("FFCL") and related order ("Order") (ECF No. 100) regarding Luba Snow's ("Debtor") Motion for Contempt for Violation of the Automatic Stay Under § 362(a) and Damages Against Creditor, Enrique Velazquez-Gonzalez, His Counsel, Melvin Grimes, Esq. and Law Firm, Roberts Stoffel Family Law Group ("Motion") (ECF No. 11). The Order granted the Motion in part "solely as to liability" under Section[2] 362(k) and further stated, in pertinent part, the following:

> **IT IS FURTHER ORDERED** that Debtor shall, no later than 14 days after entry of this order, file supplemental pleadings,

[1] In this Order, all references to "ECF" are to the numbers assigned to the documents filed in the above-captioned case as they appear on the docket maintained by the Clerk of Court.

[2] All references to "Section" are to 11 U.S.C. § 101 et. seq.

> as appropriate, supporting her request for damages. Velazquez-Gonzalez, Grimes, and the Roberts Stoffel Family Law Group may, no later than 28 days after entry of this order, file their response(s), as appropriate. Thereafter, the Court will either take the matter under submission or schedule oral argument by separate order.

Order at 2:3-7. Accordingly, Debtor's supplemental pleadings were required to be filed by October 10, 2022, while all responsive pleadings were required to be filed by October 24, 2022. Melvin R. Grimes ("Grimes"), in his capacity as an attorney with the Roberts Stoffel Family Law Group ("Firm") and as counsel for Enrique Velazquez-Gonzalez ("Velazquez-Gonzalez"), received ECF notice of both the FFCL and the Order.

Debtor timely filed her supplemental pleadings on October 10, 2022, including her Supplemental Brief on Damages ("Debtor-Brief"), the Declaration of Benjamin B. Childs, Esq. ("Childs Declaration"), the Declaration of Christopher P. Burke, Esq. ("Burke Declaration"), and the Declaration of Luba Snow ("Snow Declaration"). (ECF No. 101). Neither Grimes, the Firm, nor Velazquez-Gonzalez filed a response to the Debtor-Brief by the October 24, 2022, deadline, and the matter was thereafter deemed submitted.[3]

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[3] During the preparation of this Order, the Court observed that on November 1, 2022, Grimes, Velazquez-Gonzalez, and the Firm filed a Motion to Extend Time to File a Response to Petitioner's Supplemental Brief on Damages ("Extension Motion") (ECF No. 102), to which Debtor filed an opposition (ECF No. 103). The Extension Motion was not noticed for hearing as required under Local Rule 9014, and no response to the Debtor-Brief was filed by the November 14, 2022, deadline requested in the Extension Motion. Thereafter, on January 12, 2023, Grimes and the Firm filed a Supplemental Request Pursuant to Rule 9006(b) and Limited Response to Debtors[‘] Supplemental Brief Regarding Damage[s] ("Supplemental Motion") (ECF No. 105), to which Debtor filed another opposition (ECF No. 106) and a supplemental request for attorney's fees (ECF Nos. 107, 109). Grimes subsequently filed a joinder to the Supplemental Motion on behalf of Velazquez-Gonzalez. (ECF No. 110). The Supplemental Motion also was not noticed for hearing as required under Local Rule 9014. Accordingly, neither the Extension Motion nor the Supplemental Motion—both of which were filed after the record was closed—have ever properly been before the Court. Debtor's supplemental request for attorney's fees and costs is also not properly before the Court. In sum, the record was closed at the conclusion of the October 24, 2022, responsive brief deadline, and the Court will not entertain any pleadings filed after that date.

For the avoidance of doubt, and in the alternative, even if the Extension Motion and Supplemental Motion were noticed for a hearing, the Court would not find cause to grant the same. Specifically, despite having received ECF notice of the FFCL and Contempt Order on September 26, 2022, the Extension Motion claims that Grimes, Velazquez-Gonzalez, and the Firm "were unaware … that Findings of Facts and Conclusions of Law had been issued" and "became aware of the status of the case when Respondent's [sic] received Petitioners[‘] Supplemental Brief on or

Debtor, by the Contempt Motion, requests actual and punitive damages under Section 362(k)(1), which states, in pertinent part, that "an individual injured by any willful violation of a stay provided by this section shall recover actual damages, including costs and attorneys' fees, and, in appropriate circumstances, may recover punitive damages." As U.S. District Judge Gordon recently concluded, "[a] fee award is mandatory if the bankruptcy court finds a stay violation was willful, although the court 'retain[s] the discretion to eliminate unnecessary or plainly excessive fees." Rushmore Loan Mgmt. Servs., LLC v. Moon (In re Moon), 2023 WL 1779643, at *5 (D. Nev. Feb. 6, 2023) (citation omitted). "Additionally, there must be 'a nexus between the claimed damages and the violation of the stay' because the individual must be 'injured by the violation to be eligible to claim actual damages.'" Id. (citation omitted).

As for Debtor's request for an award of attorney's fees and costs, and other miscellaneous actual costs, and based on the evidence presented, the Court finds and concludes that, Debtor

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about October 19, 2022." Extension Motion at 2:8-12. No discussion is provided explaining the discrepancy between the Court's docket (which reflects ECF notice on Grimes on September 26, 2022) and the conclusory statements made in the Extension Motion. Additionally, even were the Court to assume that respondents first received notice on October 19, 2022, they fail to provide any explanation regarding why they waited almost two weeks later to file the Extension Motion instead of filing the same prior to their October 24, 2022, deadline to file a responsive brief. The Supplemental Motion's additional claims of excusable neglect are rejected because under the facts of this case, experienced counsel clearly made no effort to review the Court's local rules regarding the scheduling of hearings. See, e.g., U.S. v. Moyer, 2008 WL 3478063, at *7 (N.D. Cal. Aug. 12, 2008) ("Because Moyer [proceeding in pro se] made no effort whatsoever to familiarize himself with the Federal Rules of Civil Procedure or the Civil Local Rules, he cannot claim excusable neglect."). The Court, utilizing its sound and reasonable discretion, reaches this conclusion based on the facts of this case and cannot find any flexibility in the "elastic concept" of excusable neglect to excuse (a) counsel's lack of diligence in timely filing either a responsive brief or a motion to extend by the October 24, 2022, deadline when Grimes concedes he learned of this deadline no later than October 19, 2022, (b) counsel's apparent lack of effort to review the Court's Local Rules regarding the scheduling of hearings, (c) counsel's lack of filing a responsive brief by the November 14, 2022, deadline requested in the Extension Motion, (d) counsel's failure, to the Court's knowledge, to contact its chambers to inquire about the status of the Extension Motion, and (e) counsel's filing of a Supplemental Motion 80 days after the October 24, 2022, deadline without, again, noticing it for hearing. See Pioneer Inv. Servs. Co. v. Brunswick Assocs. Ltd. P'ship, 507 U.S. 380, 392 (1993) ("Although inadvertence, ignorance of the rules, or mistakes construing the rules do no usually constitute 'excusable' neglect, it is clear that 'excusable neglect' under Rule 6(b) is a somewhat 'elastic concept' and is not limited strictly to omissions caused by circumstances beyond the control of the movant.").

incurred actual damages, and is entitled to an award of: (i) attorneys' fees and costs to Benjamin B. Childs, Esq. in the aggregate amount of $11,769.97, as reflected in the uncontested Childs Declaration, (ii) attorneys' fees and costs to Christopher P. Burke, Esq. in the aggregate amount of $38,278.50, as reflected in the uncontested Burke Declaration, and (iii) actual costs of $1,450.35, as reflected in the uncontested Snow Declaration. These actual damages are awarded jointly and severally against Velazquez-Gonzalez, Grimes, and the Firm.

As for Debtor's emotional distress damages, Debtor requests an award of $95,000. As previously summarized by this Court:

> Proof of pecuniary loss is not required for an award of emotional distress damages. *See Dawson v. Washington Mutual Bank (In re Dawson)*, 390 F.3d 1139, 1149 (9th Cir. 2004). "To recover damages for emotional distress under § 362(k), 'an individual must (1) suffer significant harm (2) clearly establish the significant harm, and ***(3) demonstrate a causal connection between that significant harm and the violation of the automatic stay (as distinct, for instance, from the anxiety and pressures inherent in the bankruptcy process).'*** ... Emotional harm may be proved by: (1) medical evidence, (2) non-experts, such as family members, friends, or coworkers; or (3) 'even without corroborative evidence where significant emotion distress is readily apparent.' ... The last category includes cases where the violator's conduct is 'egregious,' or where the conduct is not egregious but the circumstances make it obvious that a reasonable person would suffer significant emotional harm ... 'Fleeting or trivial anxiety or distress does not suffice ...'" *See America's Servicing Co. v. Schwartz–Tallard*, 438 B.R. 313, 321–22 (D. Nev. 2010), *citing In re Dawson*, 390 F.3d at 1149–50.

In re Martinez, 561 B.R. 132, 156–57 (Bankr. D. Nev. 2016) (emphasis added).

Debtor has satisfied the first two prongs – clearly establishing that Debtor suffered a significant harm. As the Court found and concluded in the FFCL, Grimes and Velazquez-Gonzalez sought Debtor's incarceration through the initiation of civil contempt proceedings in family court during the post-petition period because the filing of the bankruptcy case, and the imposition of the automatic stay, delayed the closing of a sale of Debtor's and Velazquez-Gonzalez's home in accordance with a family court settlement. See, e.g., FFCL at FoF ¶ 14 ("During his March 4, 2022, testimony, Grimes testified that he would not have filed the requests

for an order to show cause if the bankruptcy filing had not stopped the sale of the Sunny Property."); id. at ¶ 15 (Velazquez-Gonzalez testifying, under penalty of perjury, that he requested his counsel to file the contempt motions against Debtor seeking jail time in order to force her to sell the house). The Court finds and concludes that these actions caused Debtor to suffer significant emotional distress and that a reasonable person would suffer significant emotional harm.

Debtor also has satisfied the final prong, i.e., "demonstrat[ing] a causal connection between [the] significant harm and the violation of the automatic stay (as distinct, for instance, from the anxiety and pressures inherent in the bankruptcy process." See In re Martinez, 561 B.R. at 157. To determine whether there is a causal connection between the harm suffered and the stay violation in this case, it is necessary to determine the applicable period during which Debtor allegedly suffered compensable damages. The applicable period began on December 17, 2021, when Grimes and Velazquez-Gonzalez filed pleadings in the family court requesting incarceration, and lasted until December 22, 2021, when District Judge Perry made clear that Debtor would not be incarcerated. (ECF No. 60-7 at 3:20-4:7).

The Court cannot ignore, however, that the threat of incarceration occurred in the context of what appears from the record to be a contentious family court proceeding which was already highly stressful and emotionally taxing and could very well be the source of the Debtor's suffered harm. In fact, the days leading up to the filing of the bankruptcy and the days thereafter provide a glimpse into the contentious nature of the case. On December 8, 2021, the family court entered a Stipulated Decree of Divorce requiring the sale of the marital home. FFCL, FoF ¶¶ 1-2. Notably, the Stipulated Decree did not include a deadline by which the marital home was to be sold—a fact that makes the continuation of the stay violation to seek Debtor's incarceration all that more egregious. One week later on December 15, 2021, Debtor filed her voluntary chapter 7 petition, a date that was one week prior to the proposed sale of the marital home. FFCL, FoF ¶ 3. This resulted in a hearing before the family court on December 22, 2021, regarding, among other things, the effect of the automatic stay on the sale of the marital home. At that hearing, Family District Court Judge Mary Perry adamantly expressed her dissatisfaction with the pre-petition actions of