

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: THE MARRIAGE OF

CASE NO: 501971DR004137XXDIFD

WILLIAM A. CABANA,
Petitioner/Former Husband,

FAMILY DIVISION

and

SHARON ANN MAYO f/k/a
SHARON ANN CABANA
Respondent/Former Wife.

**ORDER ON FORMER HUSBAND'S MOTION TO COMPEL FORMER WIFE'S FULL
FINANCIAL DISCLOSURE AND REQUEST TO PRODUCE**

THIS CAUSE came on for hearing on August 4, 2005 on Former Husband's Motion to Compel Former Wife's Full Financial Disclosure and Request to Produce. At hearing, Former Husband argued alleged production deficiencies of the Former Wife as more fully set forth in his correspondence dated July 12, 2005, a copy of which is annexed hereto. The Court, having considered argument and being otherwise fully advised in these premises,

ORDERS AND ADJUDGES as follows:

1. As to Former Wife's Wachovia checking x5409, Former Wife shall request from the financial institution statements for the periods 08/03 through 02/05 and shall produce same to Former Husband upon receipt.
2. As to Former Wife's GoldCoast's Federal Credit Union checking x8609, Former Wife shall request from the financial institution statements for the periods for the periods 07/03 through 02/05 and shall produce same to Former Husband upon receipt.
3. As to Former Wife's CitiDiamond x6508, Former Husband may submit to Former Wife an authorization for him to obtain those statements requested by Former Husband in his

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Request to Produce, to the extent not previously produced by Former Wife.

4. In all other respects, Former Husband's Motion to Compel Former Wife's Full Financial Disclosure and Request to Produce is hereby denied.

DONE AND ORDERED at West Palm Beach, Palm Beach County, Florida, this ____ day of August, 2005.

CIRCUIT COURT JUDGE

Cathy L. Kamber, Esq., 1675 Palm Beach Lakes Blvd., Suite 700, West Palm Beach, FL 33401
William A. Cabana, 1050 Capri Isles Blvd., #F105, Venice, FL 34292

SIGNED & DATED
AUG 08 2005
JUDGE MARTIN H. COLIN

WILLIAM A. CABANA
1050 Capri Isles Blvd., # F-105
Venice, FL 34292

(941)480-1395
bcabana2@comcast.net

July 12, 2005

FILE COPY of LETTER SENT to KAMBER

Cathy L. Kamber, Esq.
1675 Palm Beach Lakes Boulevard
The Forum, Tower A, Suite 700
West Palm Beach, FL 33401

Re: Fomer Marriage of Cabana

Dear Ms. Kamber:

In preliminary reviewing the production that you have furnished to me, I note that many of the documents requested and ordered by the Court, are missing. Initially, we hereby request that you furnish the following to avoid the necessity of filing a Motion for Sanctions:

Request to Produce list of documents:

Item 1. The missing bank statements for the three years from May, 2002 thru May, 2005. Out of the thirty six statements required, your client only provided nine.

Item 2. Same as Item #1. Items missing.

Item 3. Tax returns for 2003 and 2004 were missing. If they have not been filed, you will need to supply a statement of verification from her CPA and some evidence of an extension granted by the IRS.

Item 4. If no Intangible Personal Property Tax returns were filed for 2002 thru 2004, you will need to supply a statement of verification from her CPA.

Item 6. No records relating to the requirements of this item were provided. No receipts for maintenance work on houses were provided.

Item 7.b. Missing records. Out of the 36 statements required, your client only provided 16. The submitted statements of 3/9/05, 4/8/05 and 5/9/05 were unacceptable in that they did not detail the individual purchases and payments.

Item 14. Missing records of income other than pay statements.

Item 15. Promised but not provided to date.

Item 20. Missing records from Sherry Cleaning or any other business she might have.

Item 23. Promised but not provided to date.

Item 27. Long form financial affidavit not provided as requested. Also missing are the following:

(E) A statement by the producing party identifying the amount and source of all income received from any source during the 3 months preceding the service of the financial affidavit required by this rule if not reflected on the pay stubs produced.

(F) All loan applications and financial statements prepared or used within the 3 years preceding service of that party's financial affidavit required by this rule, whether for the purpose of obtaining or attempting to obtain credit or for any other purpose. e.g. loans on Almeria and Saturn houses.

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Item 29. Objection not valid. Documents need to be provided.

Item 30. Promised but not provided to date.

Item 33. Missing records on business and rental properties.

Item 34. Fictitious name registration for Sherry Cleaning.

Interrogatories:

Item 3.a. No information indicated for Sherry Cleaning self-employment

I will await these documents for fifteen (15) days from the date of this letter

Very truly yours,

William A. Cabana