

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.

**MOTION TO COMPEL PRODUCTION,
ANSWERS TO INTERROGATORIES AND FINANCIAL AFFIDAVIT**

COMES NOW the Former Wife, SHARON ANN CABANA by and through undersigned counsel, and states as follows:

1. On April 19, 2005, the Former Wife served her Request for Production and Family Law Interrogatories.
2. Pursuant to the applicable rules of Civil and Family Rules Procedure, the Former Husband was obligated to produce the requested documents and answer the Interrogatories not later than May 24, 2005.
3. The Former Husband has failed to respond to the Request to Produce or answer the Family Law Interrogatories.
4. On May 16, 2005, Former Husband served his "Motion to Discovery Requests", requesting that this Court enter an Order to declare the "Chapter 61 financial discovery provisions" as a violation of the Florida Constitution.

5. On May 24, 2005, this Honorable Court entered an Order Denying Former Husband's Objections to the Production, a copy of which is annexed as Exhibit "A".

6. On April 19, 2005, the Former Wife served her Request for Financial Affidavit.

7. Pursuant to the applicable Rules, Former Husband was obligated to serve his financial affidavit not later than May 4, 2005.

8. On May 24, 2005, this Honorable Court entered an Order granting Former Wife's Motion to Compel Financial Affidavit, a copy of which is annexed hereto as Exhibit "B"

9. Former Husband has failed to file or serve his financial affidavit.

10. The Former Wife has retained the services of the undersigned attorneys and has agreed to pay those reasonably incurred attorney's fees, for which Former Husband should be held accountable.

11. The Former Wife offers to settle this Motion without hearing if the Former Husband will forthwith produce the documents requested, answer the interrogatories and produce a financial affidavit.

WHEREFORE, Former Wife prays this Court enter an Order compelling Former Husband, within ten days to:

- a. File and serve complete answers to interrogatories;
- b. File and serve a response to Request to Produce and to produce all documents

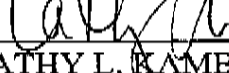
requested by Former Wife in her Request to Produce;

c. File and serve a complete financial affidavit;

and that, if Former Husband fails to comply with the provisions of this Order, that Former Husband be enjoined from introducing any testimony or evidence concerning his financial circumstances at hearing of Former Wife's Amended Motion for Contempt, for an award of attorney's fees and costs, and for such other and further relief as may be proper.

I HEREBY CERTIFY that a true copy of the foregoing was furnished by mail to: Mr. ^{and Mrs.} William A. Cabana, 1050 Capri Isles Blvd., #F105, Venice, FL 34292, this 25 day of May, 2005.

CATHY L. KAMBER, P.A.
Attorneys for Former Wife
1675 Palm Beach Lakes Blvd.
Suite 700
West Palm Beach, FL 33401
(561) 868-1602

By: 
CATHY L. KAMBER, ESQ.
Florida Bar #312819