

Civil Cover Sheet

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to **Florida Statute 25.075**.

I. CASE STYLE

Circuit Court

CYNTHIA A. RODRIGUEZ
Petitioner-Wife,

Case No. _____

vs.

Judge: _____

ALEXANDER E. RODRIGUEZ,
Respondent-Husband.

II. TYPE OF CASE

(place a check mark in one box only. If the case fits more than one type of case, select the most definitive.)

Domestic Relations

- ☐ Simplified dissolution
☒ Dissolution
☐ Support - IV-D
☐ Support - Non IV-D
☐ URESA - IV-D
☐ URESA - Non IV-D
☐ Domestic violence
☐ Other domestic relations

Torts

- ☐ Professional malpractice
☐ Products liability
☐ Auto negligence
☐ Other negligence

Other Civil

- ☐ Contracts
☐ Condominium
☐ Real property/mortgage foreclosure
☐ Eminent domain
☐ Other

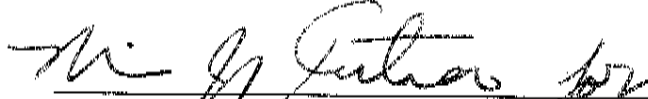
III. IS JURY TRIAL DEMANDED IN COMPLAINT?

- ☐ Yes
☒ No

DATE: July 7, 2007

SIGNATURE OF ATTORNEYS FOR PARTY INITIATING ACTION:


 MAURICE JAY KUTNER


 EARLE S. LILLY

REQUIRED INFORMATION

Petitioner:

Name: CYNTHIA A. RODRIGUEZ

Home Address:

City, State & Zip:

Home Telephone Number:

Cellular number:

Social Security No.:

Date of Birth:

December 28, 1972

Attorneys:

Attorneys' Address:

MAURICE JAY KUTNER, ESQUIRE

KUTNER AND ASSOCIATES

11th Floor - Courthouse Tower

44 West Flagler Street

Miami, Florida 33130-1808

(305) 377-9411

City, State & Zip:

Telephone Number:

EARLE S. LILLY, ESQUIRE

LILLY LAW OFFICES

4544 Post Oak Place - Suite 380

Houston, Texas 77027

(713) 966-4444

Respondent:

Name:

ALEXANDER E. RODRIGUEZ

Home Address:

City, State & Zip:

Social Security No.:

Date of Birth:

July 27, 1975

Attorney (if known):

Unknown

Attorney's Address:

Unknown

City, State & Zip:

Unknown

Telephone Number:

Unknown

Minor Children:

1. Natasha A. Rodriguez

Date of Birth: November 18, 2004

2. Ella A. Rodriguez

Date of Birth: April 21, 2008

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR MIAMI-
DADE COUNTY, FLORIDA

FAMILY DIVISION

CASE NO. 08-17700-50

IN RE: THE MARRIAGE OF *

CYNTHIA A. RODRIGUEZ, *

Petitioner-Wife, *

and *

ALEXANDER E. RODRIGUEZ, *

Respondent-Husband. *

**PETITION FOR DISSOLUTION
OF MARRIAGE**

For her Petition for Dissolution of Marriage, the Wife states:

1. **ACTION FOR DISSOLUTION:** This is an action for dissolution of marriage, which is being filed only after the Petitioner has exhausted every effort to salvage the marriage of the parties. However, "Alex" has emotionally abandoned his wife and children and has left her with no choice but to divorce him.

2. **JURISDICTION:** The Court has jurisdiction over the parties and subject matter of this action.

3. **RESIDENCY:** Both parties have been residents of the State of Florida for more than six months prior to the filing date of this petition.

4. **MARRIAGE:** The parties were married to each other on November 2, 2002, in Dallas, Texas.

5. **IRRETRIEVABLY BROKEN:** The marriage of the parties is irretrievably broken because of the Husband's extra marital affairs and other marital misconduct.

6. **CHILDREN:** There are two children born of this marriage: Natasha A. Rodriguez, D/O/B: November 18, 2004 and Ella A. Rodriguez, D/O/B: April 21, 2008.

7. **SHARED PARENTAL RESPONSIBILITY:** The Husband and Wife should share parental responsibility of the children.

8. **RESIDENTIAL PARENT:** The Wife desires and it is in the children's best interest that she be the primary residential parent of the minor children, *pendente lite* and permanently.

9. **CHILD SUPPORT:** The children need temporary and permanent support from the Husband, and the Husband has the ability to pay. The lifestyle and background of the parties and the children is such that the Husband should provide life insurance, health insurance, private school; and, continue to maintain the existing lifestyle of the children.

10. **STANDARD OF LIVING:** The Husband is a prominent athlete and has, due to his substantial earning power, provided the parties and their children with a lavish lifestyle. The Husband has provided his family with a residence that is compatible with his great wealth and high standard of living. The Husband has the fiscal capacity to continue his high style of living, but the Wife does not.

11. **ALIMONY:** The Wife needs and is entitled to temporary, rehabilitative, permanent, periodic and lump sum alimony, and the Husband is well able to pay all forms of alimony.

12. **MARITAL RESIDENCE AND CONTENTS AS LUMP SUM ALIMONY:**
The parties jointly own, as their former marital home, the real property located at 181 East

Sunrise Avenue, Coral Gables, Florida 33133. The Wife is entitled to receive, the marital home and contents, as lump sum alimony and partial equitable distribution.

13. **EXCLUSIVE POSSESSION:** The Wife is entitled to continuing temporary and permanent exclusive possession of the marital residence, to provide a home for herself and the minor children.

14. **EQUITABLE DISTRIBUTION:** The Wife claims and is entitled to an equitable distribution of all assets acquired during the marriage, pursuant to **Section 61.075, Florida Statutes.**

15. **AUTOMOBILE FOR THE WIFE:** The Wife needs and is entitled to possession and title to the automobile she is presently driving.

16. **PERSONAL PROPERTY:** The Wife is in need of and entitled to exclusive possession of and title to the real and personal property now in her possession. This includes the personal property contained in the marital residence.

17. **LIFE AND MEDICAL INSURANCE:** The Husband has and is maintaining life and medical insurance for the benefit of the Wife and minor children. He should be required to continue to maintain that or comparable insurance.

18. **DEBTS:** The parties have incurred certain debts, which the Husband should be required to discharge.

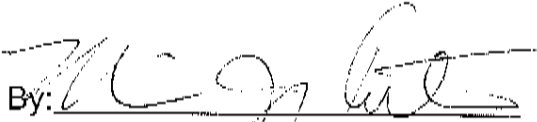
19. **ATTORNEYS' FEES, SUIT MONIES, AND COSTS:** The Wife has obligated herself to pay reasonable attorneys' fees, suit monies, and costs to her attorneys and other professionals in this action and asks for a judgment against the Husband for a sum considered to be a reasonable fee for those services, based upon her need and his ability to pay.

20. **ANTENUPTIAL AGREEMENT:** On October 3, 2002, the parties executed a "document" titled "Antenuptial Agreement."¹ A determination as to the validity or enforceability of the agreement requires additional investigation and discovery.

WHEREFORE, it is requested that the Court grant relief consistent with this Petition for Dissolution of Marriage.

LILLY LAW OFFICE²
4544 Post Oak Place - Suite 380
Houston, Texas 77027
Phone: (713) 966-4444
Fax: (713) 966-4466

KUTNER AND ASSOCIATES
11th Floor - Courthouse Tower
44 West Flagler Street
Miami, Florida 33130-1808
Phone: (305) 377-9411
Fax: (305) 377-4758

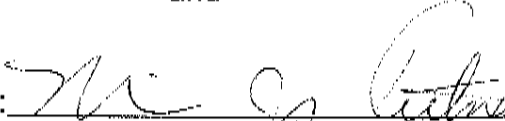
for By: 
EARLE S. LILLY
Texas Bar No.: 12356000

By: 
MAURICE JAY KUTNER
Florida Bar No.: 44775

and

and

for By: 
JOHN E. VAN NESS
Texas Bar No.: 00792890

for By: 
ANTHONY P. SABATINO
Florida Bar No.: 185809

/s/

¹The Agreement has deliberately not been attached.

²The appearance of attorneys Lilly and Van Ness is subject to the Court granting the Motion to Appear Pro Hac Vice, which is being filed simultaneously with this Petition for Dissolution of Marriage.

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR MIAMI-
DADE COUNTY, FLORIDA

FAMILY DIVISION

CASE NO.

08-176475 FD 16

IN RE: THE MARRIAGE OF

CYNTHIA A. RODRIGUEZ,

Petitioner-Wife,

and

ALEXANDER E. RODRIGUEZ,

Respondent-Husband.

*

*

*

*

*

*

*

MOTION TO APPEAR
PRO HAC VICE

Attorneys Earle S. Lilly and John E. Van Ness respectfully request the Court to permit them to appear in this cause, as counsel for the Petitioner-Wife, on a pro hac vice basis and state:

1. Attorneys Earle S. Lilly and John E. Van Ness are members in good standing of the State Bar of Texas, have never been disbarred, and neither is the subject of any grievance proceeding.

2. Attorneys Earle S. Lilly and John E. Van Ness agree to be bound by the Rules of the Florida Bar and the Local Rules of this Court; and, that all papers filed in this cause will be signed by a lawyer licensed by the Florida Bar.

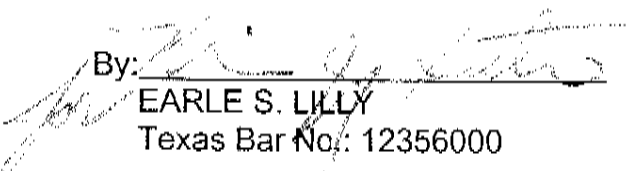
WHEREFORE, it is requested that this motion be granted.

CERTIFICATE OF SERVICE

WE CERTIFY that a copy of the Motion to Appear Pro Hac Vice will be served on the Respondent with the initial service of process.

LILLY LAW OFFICE
4544 Post Oak Place - Suite 380
Houston, Texas 77027
Phone: (713) 966-4444
Fax: (713) 966-4466

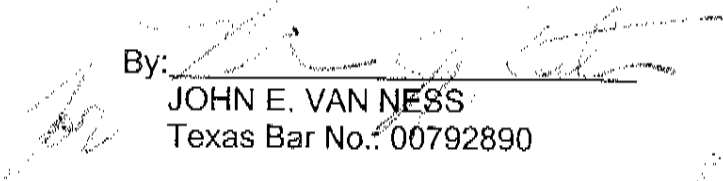
KUTNER AND ASSOCIATES
11th Floor - Courthouse Tower
44 West Flagler Street
Miami, Florida 33130-1808
Phone: (305) 377-9411
Fax: (305) 377-4758

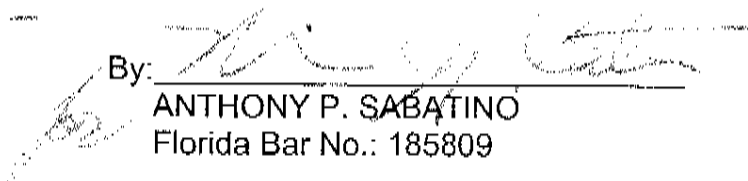
By: 
EARLE S. LILLY
Texas Bar No.: 12356000

By: 
MAURICE JAY KUTNER
Florida Bar No.: 44775

and

and

By: 
JOHN E. VAN NESS
Texas Bar No.: 00792890

By: 
ANTHONY P. SABATINO
Florida Bar No.: 185809

/lad