

FL-120

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
**LANCE S. SPIEGEL [SBN 51625]**  
**KALIFMAN YOUNG, SPIEGEL, ROBINSON & KENERSON, L.L.P.**

TELEPHONE NO: ( ) FAX NO (Optional): ( )  
 E-MAIL ADDRESS (Optional):  
 ATTORNEY FOR (Name): **RUSSELL SIMMONS**

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**  
 STREET ADDRESS: **111 NORTH HILL STREET**  
 MAILING ADDRESS: **SAME**  
 CITY AND ZIP CODE: **LOS ANGELES, CA 90012**  
 BRANCH NAME: **CENTRAL DISTRICT**

**MARRIAGE OF**  
 PETITIONER: **KIMORA LEE SIMMONS**  
 RESPONDENT: **RUSSELL SIMMONS**

**RESPONSE**  **and REQUEST FOR**  
 **Dissolution of Marriage**  
 **Legal Separation**  
 **Nullity of Marriage**  **AMENDED**

FOR COURT USE ONLY

**FILED**  
 LOS ANGELES SUPERIOR COURT  
 MAY 06 2008  
 JOHNA CLARKE CLERK  
 BY LYDIA H VILLALBA DEPUTY

CASE NUMBER:  
**BD 482 747**  
**[ASSIGNED TO DEPT. 7]**

1. RESIDENCE (Dissolution only)  Petitioner\*  Respondent has been a resident of this state for at least six months and of this county for at least three months immediately preceding the filing of the *Petition for Dissolution of Marriage*.  
 \* PETITIONER CONTENDS THAT SHE HAS BEEN A RESIDENT OF THIS STATE FOR AT LEAST 6 MONTHS AND OF THIS COUNTY FOR AT LEAST 3 MONTHS

2. STATISTICAL FACTS  
 a. Date of marriage: **DECEMBER 20, 1998** c. Time from date of marriage to date of separation (specify):  
 b. Date of separation: **TO BE DETERMINED** Years: Months:

3. DECLARATION REGARDING MINOR CHILDREN (include children of this relationship born prior to or during the marriage or adopted during the marriage):  
 a.  There are no minor children.  
 b.  The minor children are:  

Child's name	Birthdate	Age	Sex

Continued on Attachment 3b.  
 c. If there are minor children of the Petitioner and Respondent, a completed *Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)* (form FL-105) must be attached.  
 d.  A completed voluntary declaration of paternity regarding minor children born to the Petitioner and Respondent prior to the marriage is attached.

4. SEPARATE PROPERTY  
 Respondent requests that the assets and debts listed  in *Property Declaration* (form FL-160)  in Attachment 4  
 below be confirmed as separate property.  
 Item Confirm to  
 THE NATURE AND EXTENT OF THE SEPARATE PROPERTY ASSETS AND OBLIGATIONS OF THE PARTIES ARE UNKNOWN AT THIS TIME TO RESPONDENT, WHO WILL SEEK LEAVE OF THE COURT TO AMEND THIS RESPONSE WHEN SUCH INFORMATION HAS BEEN ASCERTAINED.

**NOTICE: You may redact (black out) social security numbers from any written material filed with the court in this case other than a form used to collect child or spousal support.**

MARRIAGE OF (last name, first name of parties): MARRIAGE OF SIMMONS, KIMORA LEE AND RUSSELL	CASE NUMBER: BD 482 747 [ASSIGNED TO DEPT. 7]
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5. DECLARATION REGARDING COMMUNITY AND QUASI-COMMUNITY ASSETS AND DEBTS AS CURRENTLY KNOWN

- a.  There are no such assets or debts subject to disposition by the court in this proceeding.
- b.  All such assets and debts are listed  in Property Declaration (form FL-160)  in Attachment 5b.  
 below (specify):

6.  Respondent contends that the parties were never legally married.

7.  Respondent denies the grounds set forth in item 6 of the petition.

8. Respondent requests

- a.  dissolution of the marriage based on
  - (1)  irreconcilable differences. (Fam. Code, § 2310(a).)
  - (2)  incurable insanity. (Fam. Code, § 2310(b).)
- b.  legal separation of the parties based on
  - (1)  irreconcilable differences. (Fam. Code, § 2310(a).)
  - (2)  incurable insanity. (Fam. Code, § 2310(b).)
- c.  nullity of void marriage based on
  - (1)  incestuous marriage. (Fam. Code, § 2200.)
  - (2)  bigamous marriage. (Fam. Code, § 2201.)
- d.  nullity of voidable marriage based on
  - (1)  respondent's age at time of marriage. (Fam. Code, § 2210(a).)
  - (2)  prior existing marriage. (Fam. Code, § 2210(b).)
  - (3)  unsound mind. (Fam. Code, § 2210(c).)
  - (4)  fraud. (Fam. Code, § 2210(d).)
  - (5)  force. (Fam. Code, § 2210(e).)
  - (6)  physical incapacity. (Fam. Code, § 2210(f).)

9. Respondent requests that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

- |  | Petitioner               | Respondent               | Joint                               | Other                    |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Legal custody of children to .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to .....   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to .....  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| As requested in form: <input type="checkbox"/> FL-311 <input type="checkbox"/> FL-312 <input type="checkbox"/> FL-341(C) <input type="checkbox"/> FL-341(D) <input type="checkbox"/> FL-341(E) <input type="checkbox"/> Attachment 9c. |                          |                          |                                     |                          |
| d. <input type="checkbox"/> Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage.  | <input type="checkbox"/> | <input type="checkbox"/> |                                     |                          |
| e. Attorney fees and costs payable by .....  | <input type="checkbox"/> | <input type="checkbox"/> |                                     |                          |
| f. Spousal support payable to (wage assignment will be issued) .....   | <input type="checkbox"/> | <input type="checkbox"/> |                                     |                          |
| g. <input checked="" type="checkbox"/> Terminate the court's jurisdiction (ability) to award spousal support to Petitioner.  |                          |                          |                                     |                          |
| h. <input type="checkbox"/> Property rights be determined.   | <input type="checkbox"/> | <input type="checkbox"/> |                                     |                          |
| i. <input type="checkbox"/> Respondent's former name be restored to (specify):   |                          |                          |                                     |                          |
| j. <input checked="" type="checkbox"/> Other (specify):  |                          |                          |                                     |                          |

Continued on Attachment 9j.

10. Child support- If there are minor children born to or adopted by the Petitioner and Respondent before or during this marriage, the court will make orders for the support of the children upon request and submission of financial forms by the requesting party. An earnings assignment may be issued without further notice. Any party required to pay support must pay interest on overdue amounts at the "legal" rate, which is currently 10 percent.

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

Date: MAY 5, 2008

RUSSELL SIMMONS  
(TYPE OR PRINT NAME)

(SIGNATURE OF RESPONDENT)

Date: MAY 5, 2008

LANCE S. SPIEGEL  
(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY FOR RESPONDENT)

The original response must be filed in the court with proof of service of a copy on Petitioner.

ATTACHMENT "9.j." TO RESPONSE

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9. Respondent requests that the court grant the above relief and make injunctive (including restraining) and other orders as follows:

j. Other:

That a statement of decision, pursuant to Code of Civil Procedure Section 632 and Rules of Court Sections 3.1590 and 3.1591, be issued regarding any and all controverted issues at trial or any other contested proceedings.

KAUFMAN, YOUNG  
SPIEGEL, ROBINSON & KENERSON, L.L.P.  
301 NORTH CANNON DRIVE, SUITE 300  
BEVERLY HILLS, CALIFORNIA 90210-4724  
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