



MARRIAGE OF (last name, first name of parties):

MARRIAGE OF CLAPP, PHILIP and MELANIE

CASE NUMBER:

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):

There are community and quasi-community assets and obligations of the parties, the exact nature and extent of which are unknown to Petitioner at this time.

6. Petitioner 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)  petitioner'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).)

7. Petitioner 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 7c. |                                     |                                     |                                     |                          |
| d. <input type="checkbox"/> Determination of parentage of any children born to the Petitioner and Respondent prior to the marriage.  |                                     |                                     |                                     |                          |
| e. Attorney fees and costs payable by .....  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |                                     |                          |
| f. Spousal support payable to (earnings assignment will be issued) .....   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                                     |                          |
| g. <input type="checkbox"/> Terminate the court's jurisdiction (ability) to award spousal support to Respondent.   |                                     |                                     |                                     |                          |
| h. <input checked="" type="checkbox"/> Property rights be determined.  |                                     |                                     |                                     |                          |
| i. <input type="checkbox"/> Petitioner's former name be restored to (specify):   |                                     |                                     |                                     |                          |
| j. <input type="checkbox"/> Other (specify):   |                                     |                                     |                                     |                          |

Continued on Attachment 7].

8. 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.

9. I HAVE READ THE RESTRAINING ORDERS ON THE BACK OF THE SUMMONS, AND I UNDERSTAND THAT THEY APPLY TO ME WHEN THIS PETITION IS FILED.

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

Date: January 23, 2007

PHILIP JOHN CLAPP

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

Date: January 23, 2007

LAURA A. WASSER of WASSER, COOPERMAN & CARTER, PC

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY FOR PETITIONER)

NOTICE: Dissolution or legal separation may automatically cancel the rights of a spouse under the other spouse's will, trust, retirement plan, power of attorney, pay on death bank account, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the right of a spouse as beneficiary of the other spouse's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports to determine whether they should be changed or whether you should take any other actions. However, some changes may require the agreement of your spouse or a court order (see Family Code sections 231-235).

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Laura A. Wasser, Esq. (SBN 173740) WASSER, COOPERMAN & CARTER Professional Corporation 2029 Century Park East, Suite 1200 Los Angeles, CA 90067-2957 TELEPHONE NO.: (310) 277-7117      FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Philip John Clapp	FOR COURT USE ONLY  <p style="text-align: center; font-size: 1.2em;">FILED</p> <p style="text-align: center;">LOS ANGELES SUPERIOR COURT</p> <p style="text-align: center; font-size: 1.1em;">JUL -3 2007</p> <p style="text-align: center;"><i>Philip John Clapp</i></p>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: 111 North Hill Street CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: CENTRAL DISTRICT	
PETITIONER: PHILIP JOHN CLAPP  RESPONDENT: MELANIE LYNN CLAPP	
<b>DECLARATION UNDER UNIFORM CHILD CUSTODY                  JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>	CASE NUMBER: <span style="font-size: 1.2em; font-family: cursive;">BD468677</span>

1. I am a party to this proceeding to determine custody of a child.
2.  My present address is not disclosed. It is confidential under Family Code section 3429. I have listed the address of the children presently residing with me as confidential.
3. (Number): One      minor children are subject to this proceeding as follows:  
 (Insert the information requested below. The residence information must be given for the last FIVE years.)

a. Child's name	Place of birth	Date of birth	Sex
Madison Tatiana Clapp	Los Angeles, CA	1/4/96	F
Period of residence	Address	Person child lived with (name and present address)	Relationship
1/4/96 to present	<input checked="" type="checkbox"/> Confidential	Philip John Clapp Melanie Lynn Clapp	Father Mother
to			
to			
to			
to			
to			
b. Child's name      Place of birth      Date of birth      Sex			
Residence information is the same as given above for child a. (If NOT the same, provide the information below.)			
Period of residence	Address	Person child lived with (name and present address)	Relationship
to present	<input type="checkbox"/> Confidential		
to			
to			
to			
to			

c.  Additional children are listed on Attachment 3c. (Provide all requested information for additional children.)

SHORT TITLE: MARRIAGE OF CLAPP, PHILIP and MELANIE	CASE NUMBER:
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4. Have you participated as a party or a witness or in some other capacity in another litigation or custody proceeding, in California or elsewhere, concerning custody of a child subject to this proceeding?

No  Yes (If yes, provide the following information):

a. Name of each child:

b. I was a:  party  witness  other (specify):

c. Court (specify name, state, location):

d. Court order or judgment (date):

5. Do you have information about a custody proceeding pending in a California court or any other court concerning a child in this case, other than that stated in item 4?

No  Yes (If yes, provide the following information):

a. Name of each child:

b. Nature of proceeding:  dissolution or divorce  guardianship  adoption  other (specify):

c. Court (specify name, state, location):

d. Status of proceeding:

6.  One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one.)  
The orders are from the following court or courts (specify county and state):

a.  Criminal: County/state: \_\_\_\_\_ Case No. (if known): \_\_\_\_\_

c.  Juvenile: County/state: \_\_\_\_\_ Case No. (if known): \_\_\_\_\_

b.  Family: County/state: \_\_\_\_\_ Case No. (if known): \_\_\_\_\_

d.  Other: County/state: \_\_\_\_\_ Case No. (if known): \_\_\_\_\_

7. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child in this case?

No  Yes (If yes, provide the following information):

<p>a. Name and address of person</p>   <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>	<p>b. Name and address of person</p>   <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>	<p>c. Name and address of person</p>   <p><input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights</p> <p>Name of each child</p>
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 23, 2007

PHILIP JOHN CLAPP  
(TYPE OR PRINT NAME)

  
(SIGNATURE OF DECLARANT)

8.  Number of pages attached after this page: \_\_\_\_\_

**NOTICE TO DECLARANT:** You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

# SUMMONS (Family Law)

FL-110  
**CITACIÓN (Derecho familiar)**

NOTICE TO RESPONDENT (Name): MELANIE LYNN CLAPP  
AVISO AL DEMANDADO (Nombre):

FOR COURT USE ONLY  
(SÓLO PARA USO DE LA CORTE)

JUL - 3 2007

*Philip John Clapp*

You are being sued. Lo están demandando.

Petitioner's name is: PHILIP JOHN CLAPP  
Nombre del demandante:

CASE NUMBER (NÚMERO DE CASO):  
80468677

You have 30 calendar days after this Summons and Petition are served on you to file a Response (form FL-120 or FL-123) at the court and have a copy served on the petitioner. A letter or phone call will not protect you.

If you do not file your Response on time, the court may make orders affecting your marriage or domestic partnership, your property, and custody of your children. You may be ordered to pay support and attorney fees and costs. If you cannot pay the filing fee, ask the clerk for a fee waiver form.

If you want legal advice, contact a lawyer immediately. You can get information about finding lawyers at the California Courts Online Self-Help Center ([www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)), at the California Legal Services Web site ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)), or by contacting your local county bar association.

Tiene 30 días corridos después de haber recibido la entrega legal de esta Citación y Petición para presentar una Respuesta (formulario FL-120 ó FL-123) ante la corte y efectuar la entrega legal de una copia al solicitante. Una carta o llamada telefónica no basta para protegerlo.

Si no presenta su Respuesta a tiempo, la corte puede dar órdenes que afecten su matrimonio o pareja de hecho, sus bienes y la custodia de sus hijos. La corte también le puede ordenar que pague manutención, y honorarios y costos legales. Si no puede pagar la cuota de presentación, pida al secretario un formulario de exención de cuotas.

Si desea obtener asesoramiento legal, póngase en contacto de inmediato con un abogado. Puede obtener información para encontrar a un abogado en el Centro de Ayuda de las Cortes de California ([www.sucorte.ca.gov](http://www.sucorte.ca.gov)), en el sitio Web de los Servicios Legales de California ([www.lawhelpcalifornia.org](http://www.lawhelpcalifornia.org)) o poniéndose en contacto con el colegio de abogados de su condado.

NOTICE: The restraining orders on page 2 are effective against both spouses or domestic partners until the petition is dismissed, a judgment is entered, or the court makes further orders. These orders are enforceable anywhere in California by any law enforcement officer who has received or seen a copy of them.

AVISO: Las órdenes de restricción que figuran en la página 2 valen para ambos cónyuges o pareja de hecho hasta que se desista la petición, se emita un fallo o la corte dé otras órdenes. Cualquier autoridad de la ley que haya recibido o visto una copia de estas órdenes puede hacerlas acatar en cualquier lugar de California.

- The name and address of the court are (El nombre y dirección de la corte son):  
LOS ANGELES SUPERIOR COURT  
111 North Hill Street  
111 North Hill Street  
Los Angeles, CA 90012
- The name, address, and telephone number of petitioner's attorney, or the petitioner without an attorney, are:  
(El nombre, dirección y número de teléfono del abogado del demandante, o del demandante si no tiene abogado, son):  
Laura A. Wasser, Esq. (SBN 173740) (310) 277-7117  
WASSER, COOPERMAN & CARTER, P.C.  
2029 Century Park East, Suite 1200  
Los Angeles, CA 90067-2957

**JOHN A. CLARKE, CLERK**

Date (Fecha): JUL 3 2007 Clerk, by (Secretario, por) *Philip John Clapp*, Deputy (Asistente)



NOTICE TO THE PERSON SERVED: You are served  
AVISO A LA PERSONA QUE RECIBIÓ LA ENTREGA: Esta entrega se realiza

a.  as an individual. (e usted como individuo.)

b.  on behalf of respondent who is a (en nombre de un demandado que es):

(1)  minor (menor de edad)

(2)  ward or conservatee (dependiente de la corte o pupilo)

(3)  other (specify) (otro - especifique):

(Read the reverse for important information.)  
(Lea importante información al dorso.)

**WARNING—IMPORTANT INFORMATION**

**WARNING:** California law provides that, for purposes of division of property upon dissolution of a marriage or domestic partnership or upon legal separation, property acquired by the parties during marriage or domestic partnership in joint form is presumed to be community property. If either party to this action should die before the jointly held community property is divided, the language in the deed that characterizes how title is held (i.e., joint tenancy, tenants in common, or community property) will be controlling, and not the community property presumption. You should consult your attorney if you want the community property presumption to be written into the recorded title to the property.

**STANDARD FAMILY LAW RESTRAINING ORDERS**

Starting immediately, you and your spouse or domestic partner are restrained from

1. removing the minor child or children of the parties, if any, from the state without the prior written consent of the other party or an order of the court;
2. cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage, including life, health, automobile, and disability, held for the benefit of the parties and their minor child or children;
3. transferring, encumbering, hypothecating, concealing, or in any way disposing of any property, real or personal, whether community, quasi-community, or separate, without the written consent of the other party or an order of the court, except in the usual course of business or for the necessities of life; and
4. creating a nonprobate transfer or modifying a nonprobate transfer in a manner that affects the disposition of property subject to the transfer, without the written consent of the other party or an order of the court. Before revocation of a nonprobate transfer can take effect or a right of survivorship to property can be eliminated, notice of the change must be filed and served on the other party.

You must notify each other of any proposed extraordinary expenditures at least five business days prior to incurring these extraordinary expenditures and account to the court for all extraordinary expenditures made after these restraining orders are effective. However, you may use community property, quasi-community property, or your own separate property to pay an attorney to help you or to pay court costs.

**ADVERTENCIA – INFORMACIÓN IMPORTANTE**

**ADVERTENCIA:** De acuerdo a la ley de California, las propiedades adquiridas por las partes durante su matrimonio o pareja de hecho en forma conjunta se consideran propiedad comunitaria para los fines de la división de bienes que ocurre cuando se produce una disolución o separación legal del matrimonio o pareja de hecho. Si cualquiera de las partes de este caso llega a fallecer antes de que se divida la propiedad comunitaria de tenencia conjunta, el destino de la misma quedará determinado por las cláusulas de la escritura correspondiente que describen su tenencia (por ej., tenencia conjunta, tenencia en común o propiedad comunitaria) y no por la presunción de propiedad comunitaria. Si quiere que la presunción comunitaria quede registrada en la escritura de la propiedad, debería consultar con un abogado.

**ÓRDENES DE RESTRICCIÓN NORMALES DE DERECHO FAMILIAR**

En forma inmediata, usted y su cónyuge o pareja de hecho tienen prohibido:

1. Llevarse del estado de California a los hijos menores de las partes, si los hubiere, sin el consentimiento previo por escrito de la otra parte o una orden de la corte;
2. Cobrar, pedir prestado, cancelar, transferir, deshacerse o cambiar el nombre de los beneficiarios de cualquier seguro u otro tipo de cobertura, tal como de vida, salud, vehículo y discapacidad, que tenga como beneficiario(s) a las partes y su(s) hijo(s) menor(es);
3. Transferir, gravar, hipotecar, ocultar o deshacerse de cualquier propiedad, inmueble o personal, ya sea comunitaria, cuasicomunitaria o separada, sin el consentimiento escrito de la otra parte o una orden de la corte, con excepción las operaciones realizadas en el curso normal de actividades o para satisfacer las necesidades de la vida; y
4. Crear o modificar una transferencia no testamentaria de manera que afecte el destino de una propiedad sujeta a transferencia, sin el consentimiento por escrito de la otra parte o una orden de la corte. Antes de que se pueda eliminar la revocación de una transferencia no testamentaria, se debe presentar ante la corte un aviso del cambio y hacer una entrega legal de dicho aviso a la otra parte.

Cada parte tiene que notificar a la otra sobre cualquier gasto extraordinario propuesto, por lo menos cinco días laborales antes de realizarlo, y rendir cuenta a la corte de todos los gastos extraordinarios realizados después de que estas órdenes de restricción hayan entrado en vigencia. No obstante, puede usar propiedad comunitaria, cuasicomunitaria o suya separada para pagar a un abogado o para ayudarle a pagar los costos de la corte.

NAME, ADDRESS AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY: Laura A. Wasser, Esq. WASSER, COOPERMAN & CARTER Professional Corporation 2029 Century Park East, Suite 1200 Los Angeles, CA 90067-2957 (310)277-7117		STATE BAR NUMBER 173740	Reserved for Clerk's File Stamp <b>FILED</b> LOS ANGELES SUPERIOR COURT JUL -3 2007 <i>Melanie Lynn Clapp</i>
ATTORNEY FOR (Name): Philip John Clapp			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS: 111 North Hill Street Los Angeles, CA 90012			
PETITIONER/PLAINTIFF: PHILIP JOHN CLAPP			
RESPONDENT/DEFENDANT: MELANIE LYNN CLAPP			
<b>FAMILY LAW CASE COVER SHEET</b> <b>CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO DISTRICT</b>			CASE NUMBER: <b>60468677</b>

**Case Filing Instructions**

This cover sheet is required so that the court can assign your case to the correct court district for filing and hearing. It satisfies the requirement for a certificate authorizing filing in the district, as set forth in Los Angeles Superior Court Rules 2(d) and 14.2. It must be completed and submitted to the court along with the original Complaint or Petition in ALL Family cases filed in any district of the Los Angeles County Superior Court. This form is not required in Abandonment & Emancipation cases, which are to be filed at Children's Court.

I. Fill in the requested information.

a) Enter address of Petitioner

ADDRESS: [Confidential]	CITY:	STATE	ZIP CODE
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b) Enter address of Respondent. **DO NOT COMPLETE THIS ITEM IF THIS IS A MINOR'S CONTRACT CASE.**

ADDRESS: [Confidential]	CITY:	STATE	ZIP CODE
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MINOR CHILDREN INVOLVED?  YES HOW MANY? 1  NO

II. Select the correct district:

- Under Column 1 below, check the one type of action which best describes the nature of this case.
- In Column 2 below, circle the reason for your choice of district that applies to the type of action you have checked.

**Applicable Reason for Choosing District (See Column 2 below)**

1. May be filed in Central District.	3. Child resides within the district.
2. District where one or more of the parties reside.	4. District where Petitioner resides.

1 TYPE OF ACTION (Check only one) (Continued)	2 APPLICABLE REASONS (See above)
<input checked="" type="checkbox"/> A5520 Dissolution of Marriage	<b>12</b>
<input type="checkbox"/> A5525 Summary Dissolution of Marriage	1. 2
<input type="checkbox"/> A5521 Dissolution of Domestic Partnership	1. 2
<input type="checkbox"/> A5530 Nullity of Void or Voidable Marriage	1. 2
<input type="checkbox"/> A5531 Nullity of Void or Voidable Domestic Partnership	1. 2

Short Title **MARRIAGE OF CLAPP, PHILIP and MELANIE**

Case Number

<input type="checkbox"/> A5510	Legal Separation	1, 2
<input type="checkbox"/> A5511	Legal Separation of Domestic Partnership	1, 2
<input type="checkbox"/> A6126	Petition for Custody and Support of Minor	1, 2, 3
<input type="checkbox"/> A6131	Child Support Services Department (CSSD) Parentage / Support	1.
<input type="checkbox"/> A6139	Foreign Support Order	1, 2, 3
<input type="checkbox"/> A6136	Foreign Custody Order	1, 2, 3
<input type="checkbox"/> A6138	Uniform Interstate Family Support Act (UIFSA) Responding Petition	1, 2, 3
<input type="checkbox"/> A6122	Domestic Violence Restraining Order (Civil Harassment - use Civil Cover Sheet)	(Any Court Jurisdiction - DV's only)
<input type="checkbox"/> A6600	Habeas Corpus Petition - Child Custody	1, 3
<input type="checkbox"/> A6080	Petition to Establish Parentage / Paternity (Non-governmental)	1, 2, 3
<input type="checkbox"/> A6111	Approval of Minor's Contract (6751 Family Code)	1
<input type="checkbox"/> A6130	Other Family Complaint or Petition (Specify):	1, 2, 3
<input type="checkbox"/> A6101	Agency Adoption	1, 4
<input type="checkbox"/> A6102	Independent Adoption	1, 4
<input type="checkbox"/> A6104	Stepparent Adoption	1, 4
<input type="checkbox"/> A6103	Adult Adoption	1, 4
<input type="checkbox"/> A6106	Sole Custody Petition	1, 4

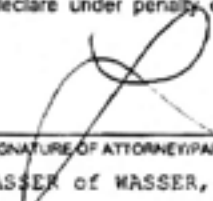
III. Enter address of minor child if known. (DO NOT COMPLETE UNLESS YOU HAVE CIRCLED ITEM 3 AS AN APPLICABLE REASON)

ADDRESS: Do not complete if this case falls under Family Code §6751	CITY:	STATE	ZIP CODE
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IV. Enter the information below and sign the certificate.

Certificate / Declaration of Assignment: The undersigned hereby certifies and declares that the above entitled matter is properly filed for assignment to the CENTRAL District of the Los Angeles Superior Court under Code of Civil Procedure §362 et seq., 2300 et seq. of the Family Code, and Rule 2(b), (c), and (d) of this court for reason checked above. I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 7 / 3 / 07

  
 (SIGNATURE OF ATTORNEY/PARTY WITHOUT ATTORNEY)  
 LAURA A. WASSER of WASSER, COOPERMAN & CARTER