

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Greta T. Hutton Knapp, Petersen & Clarke 500 North Brand Boulevard Twentieth Floor Glendale, CA 91203-1904 TELEPHONE NO.: (818) 547-5000 FAX NO.: (818) 547-5329 E-MAIL ADDRESS: gh@kpclegal.com ATTORNEY FOR (Name): Kim Fey Wahlberg	FOR COURT USE ONLY <div style="text-align: right; font-size: 2em; font-weight: bold;">FILED</div> LOS ANGELES SUPERIOR COURT AUG 13 2008 JOHN A. CLARKE, CLERK BY TRACI GREEN, DEPUTY Schudel - 43
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: CENTRAL	
MARRIAGE OF PETITIONER: KIM FEY WAHLBERG RESPONDENT: DONALD EDMOND WAHLBERG, JR.	
PETITION FOR <input checked="" type="checkbox"/> Dissolution of Marriage <input type="checkbox"/> Legal Separation <input type="checkbox"/> Nullity of Marriage <p style="text-align: center; font-weight: bold;">AMENDED</p>	CASE NUMBER: 60-91154

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 this *Petition for Dissolution of Marriage*.

2. STATISTICAL FACTS

a. Date of marriage: August 20, 1999  
 b. Date of separation: January 16, 2008  
 c. Time from date of marriage to date of separation (specify):  
 Years: 8 Months: 5

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:

<u>Child's name</u>	<u>Birthdate</u>	<u>Age</u>	<u>Sex</u>
Alexander Xavier Wahlberg	03/04/1993	15	M
Elijah Hendrix Wahlberg	08/20/2001	7	M

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

Petitioner 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 exact nature and extent of the separate assets and liabilities are presently unknown to Petitioner. When same are ascertained, Petitioner will seek leave to amend the *Petition* according to proof at the time of trial.

**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): Wahlberg, Donald and Kim	CASE NUMBER:
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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):

The exact nature and extent of the community and quasi-community assets and debts are presently unknown to Petitioner. When same are ascertained, Petitioner will seek leave to amend the Petition according to proof at time of trial.

6. Petitioner requests

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

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 checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Physical custody of children to .....  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Child visitation be granted to .....   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| As requested in form: <input checked="" 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 type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Spousal support payable to (earnings assignment will be issued) .....  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| g. <input checked="" 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 checked="" type="checkbox"/> Other (specify):   |                                     |                                     |                          |                          |

Continued on Attachment 7j.

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: August 12, 2008

KIM FEBY WAHLBERG

(TYPE OR PRINT NAME)

Date: August 12, 2008

Greta T. Hutton

(TYPE OR PRINT NAME)

  
 (SIGNATURE OF PETITIONER)

  
 (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):

Greta T. Hutton  
Knapp, Petersen & Clarke  
500 North Brand Boulevard  
Twentieth Floor  
Glendale, CA 91203-1904

TELEPHONE NO. (818) 547-5000

FAX NO. (Optional) (818) 547-5329

E-MAIL ADDRESS (Optional): gh@kpclegal.com

ATTORNEY FOR (Name): Kim Fey Wahlberg

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 North Hill Street

MAILING ADDRESS:

CITY AND ZIP CODE: Los Angeles, CA 90012

BRANCH NAME: CENTRAL

PETITIONER: Kim Fey Wahlberg

RESPONDENT: Donald Edmond Wahlberg, Jr.

**DECLARATION UNDER UNIFORM CHILD CUSTODY  
JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**

FOR COURT USE ONLY

**FILED**

LOS ANGELES SUPERIOR COURT

AUG 13 2008

JOHN A. CLARKE, CLERK

*Traci Green*  
BY TRACI GREEN, DEPUTY

CASE NUMBER:

60491154

- I am a party to this proceeding to determine custody of a child.
- 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.
- (Number): \_\_\_\_\_ 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
Alexander Xavier Wahlberg	West Hills, CA	03/04/93	M
Period of residence	Address	Person child lived with (name and present address)	Relationship
09/09/04 to present	Confidential	Kim Fey Wahlberg and Donald Edmond Wahlberg, Jr.	mother and father
07/01 to 09/09/04		Kim Fey Wahlberg and Donald Edmond Wahlberg, Jr.	mother and father
to			
to			
to			
b. Child's name	Place of birth	Date of birth	Sex
Elijah Hendrix Wahlberg	West Hills, CA	08/20/01	M
<input checked="" type="checkbox"/> 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	Confidential		
to			
to			
to			

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

SHORT TITLE: Wahlberg, Kim and Donald

CASE NUMBER:

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: Alexander Xavier Wahlberg

Elijah Hendrix Wahlberg

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?

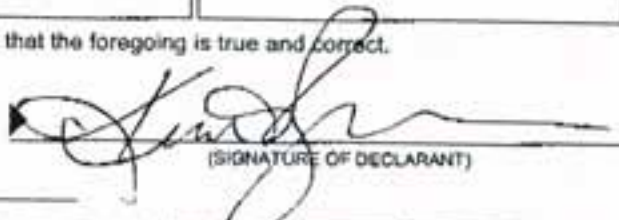
No  Yes (If yes, provide the following information):

a. Name and address of person	b. Name and address of person	c. Name and address of person
<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights	<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights	<input type="checkbox"/> Has physical custody <input type="checkbox"/> Claims custody rights <input type="checkbox"/> Claims visitation rights
Name of each child	Name of each child	Name of each child

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

Date: August 12, 2008

Kim Fey Wahlberg  
(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.

PETITIONER/PLAINTIFF: Kim Fey Wahlberg	CASE NUMBER:
RESPONDENT/DEFENDANT: Donald Edmond Wahlberg, Jr.	

**CHILD CUSTODY AND VISITATION APPLICATION ATTACHMENT**

TO  Petition, Response, Application for Order or Responsive Declaration Other (specify):  
 To be ordered now and effective until the hearing

1.  **Custody.** Custody of the minor children of the parties is requested as follows:

<u>Child's name</u>	<u>Date of Birth</u>	<u>Legal Custody to</u> <small>(person who makes decisions about health, education, etc.)</small>	<u>Physical Custody to</u> <small>(person with whom the child lives)</small>
Alexander Xavier Wahlberg	03/04/93	Petitioner/mother	Petitioner/mother
Elijah Hendrix Wahlberg	08/20/01	Petitioner/mother	Petitioner/mother

2.  **Visitation.**

- a.  Reasonable right of visitation to the party without physical custody (not appropriate in cases involving domestic violence)
- b.  See the attached \_\_\_\_\_ -page document dated (specify date):
- c.  The parties will go to mediation at (specify location):
- d.  No visitation
- e.  Visitation for the  petitioner  respondent will be as follows:

(1)  **Weekends starting (date):**  
(The first weekend of the month is the first weekend with a Saturday.)  
 1st  2nd  3rd  4th  5th weekend of the month  
 from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.  
(day of week) (time)

to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.  
(day of week) (time)

(a)  The parents will alternate the fifth weekends, with the  petitioner  respondent having the initial fifth weekend, which starts (date):

(b)  The petitioner will have fifth weekends in  odd  even months.

(2)  **Alternate weekends starting (date):**  
 The  petitioner  respondent will have the children with him or her during the period  
 from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.  
(day of week) (time)

to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.  
(day of week) (time)

(3)  **Weekdays starting (date):**  
 The  petitioner  respondent will have the children with him or her during the period  
 from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.  
(day of week) (time)

to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.  
(day of week) (time)

(4)  **Other (specify days and times as well as any additional restrictions):** Per mutual agreement via mediation or stipulation.

See Attachment 2e(4).

ATTACHMENT 7j to Form FL-100

- (1) Any other orders the Court determines are reasonable.
- (2) Pursuant to Code of Civil Procedure, section 632 and Rule 232, California Rules of Court, Petitioner hereby requests a Statement of Decision and/or findings with respect to any contested issue submitted to the Court for determination in the within proceedings. Petitioner respectfully requests that, with respect to any issue submitted to the Court for determination, the Court include in the Statement of Decision and/or Findings any and all calculations upon which the determination of any issue was made, including, but not limited to, issues of spousal support, child support, property valuation, property division, tax consequences and attorneys' fees and costs.

TIMZ

NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNEY Greta T. Hutton, Esq. Knapp, Petersen & Clarke 500 North Brand Boulevard, 20th Floor Glendale, CA 91203-1904		STATE BAR NUMBER 103079	Reserved for Clerk's File Stamp <b>FILED</b> LOS ANGELES SUPERIOR COURT AUG 13 2008 JOHN A. CLARKE, CLERK <i>Traci Green</i> BY TRACI GREEN, DEPUTY
ATTORNEY FOR (Name) Petitioner Kim Fey Wahlberg			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b>			
COURTHOUSE ADDRESS: 111 North Hill Street, Los Angeles, CA 90012			
PETITIONER/PLAINTIFF: Kim Fey Wahlberg			
RESPONDENT/DEFENDANT: Donald Edmond Wahlberg, Jr.			
FAMILY LAW CASE COVER SHEET CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO DISTRICT			CASE NUMBER R0691154

**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	CITY	STATE	ZIP CODE
---------	------	-------	----------

b) Enter address of Respondent. **DO NOT COMPLETE THIS ITEM IF THIS IS A MINOR'S CONTRACT CASE**

ADDRESS	CITY	STATE	ZIP CODE
---------	------	-------	----------

MINOR CHILDREN INVOLVED?  YES HOW MANY? 2  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	1. <input checked="" type="checkbox"/>
<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 Wahlberg, Kimberly and Donald	Case Number
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<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 §8761	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 Centra District of the Los Angeles Superior Court under Code of Civil Procedure §392 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: August 12, 2008

Yveta Hutton  
(SIGNATURE OF ATTORNEY/PARTY WITHOUT ATTORNEY)